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ABSTRACT

Evaluated were 1,666 juvenile inmates committed to the Texas Youth Council. The study was part of Project CAMIO, a Texas effort to determine the incidence of criminal incarceration of the mentally retarded (MR) and to identify laws, procedures, and practices which affect the prosecution and imprisonment of the MR offender. Information was gathered on intelligence, age, race, sex, drug and alcohol history, prior delinquency record, and current commitment information. Findings indicated that approximately 12.9% of the males and 16.6% of the females were retarded (compared to a 3% incidence in the general population). More MR than non-MR inmates were from minority groups, had poorer school attendance records, came from financilly impoverished families, and came from large families. MR offenders were less likely to have a history of drug and alcohol use than non-MR offenders. MR offenders were granted probation significantly less frequently than non-MR offenders. Current commitment offense was less likely to have involved codefendants with MR offenders than with non-MR offenders. Additionally, the investigation revealed that one out of seven retarded youths were improperly committed, since there is a Texas law prohibiting incarceration of MR juveniles within Youth Council facilities. (DB)

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The Mentally Retarded in a Juvenile Correctional Institution

PROJECT CAMIO

Volume 5

PROJECT CAMIO

CORRECTIONAL ADMINISTRATION AND THE MENTALLY INCOMPETENT OFFENDER

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Graphic Design by Beth Bartosh

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PROJECT CAMIO

Volume 5

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1.0 INTRODUCTION

During the past decade it became apparent that an increasing proportion of the nation's crimes were committed by individuals under 21 years of age.[1] While this is the significant pattern when examining crimes against property, juveniles account for a substantial number of the crimes committed against persons. This phenomenon is substantiated by the statistical information published by various public and private agencies as well as individual studies by researchers interested in the problem. Surveys conducted for the President's Commission on Law Enforcement and Administration of Justice indicate that in self-report studies, approximately 90% of the juveniles interview indicated that they had committed at least one act for which they could have been brought before the juvenile court.[2]

The Uniform Crime Report of the FBI for 1970 indicated that while persons between the ages of 10 through 17 accounted for 16% of the national population, they accounted for 29% of all crimes cleared by arrest.[3] Of crimes cleared by arrest, juveniles accounted for 43% of the auto thefts, 40% of the larcenies, 37% of the burglaries, 21% of the robberies, 13% of the forceable rapes, and 10% and 6%, respectively, of the aggravated assaults and murders.[4]

It is somewhat difficult to determine whether the recorded increases in youth crime are the result of better statistical reporting and enhanced mechanisms for the apprehension of juveniles or whether, in fact, they represent an increase in the delinquency and anti-social behavior of the youths of this country. Nevertheless, the reported incidence does represent a significant portion of the nation's crime problem.

The Children's Bureau of the United States Department of Health, Education and Welfare has estimated that approximately one of every nine youths will be referred to the juvenile court for delinquent behavior before their 18th birthday. The incidence of such referrals is even higher for males and is estimated to be one in six.[5] Of those children appearing before the juvenile court and subsequently committed to correctional institutions, it is apparent that a disproportionately large number are from families in the lower socio-economic level. They are also more likely to be members of minority groups than would be expected based upon their percentage in the general population. Examination of the annual reports of juvenile courts, probation departments, and juvenile correctional institutions in Texas suggests that these same individuals tend to be youths characterized by poor histories of academic performance and who were more likely to be on the lower end of the intelligence continuum.

The intellectually subnormal youngster usually finds school a major source of frustration. While youngsters who are profoundly retarded or otherwise easily recognized as being atypical are likely to receive treatment, youths whose intelligence is in the the borderline spectrum are usually considered just dull, poor intellectual performers and find themselves at the bottom rung in our academic institutions. Such mentally defective individuals, particularly if their financial circumstances are sub-standard, frequently develop truancy patterns early in their school history. Truancy, a delinquent act for a youth, is a major source of first referrals to juvenile departments and frequently is a precurser of subsequent criminal behavior. Such youngsters present a peculiar problem for the juvenile court since their behavior is usually not of a severe enough nature to warrant formal adjudication. Yet, their inability to perform in the school, coupled with the fact that their intellectual impairment is not sufficient to warrant admittance to residential facilities for the retarded, leaves them in a legally and administratively gray area. In the absence of other alternatives such youngsters are frequently left in the community to work out their difficulties for themselves. While some, with the support of their parents and interested teachers, pass through adolescence without further involvement with the criminal justice process, many do not.

In recognition of this phenomenon, this study was developed to determine the incidence of mental retardation within the criminal justice process. The focus of this study involved the Texas Youth Council, an agency charged under Texas law with the custody of adjudicated delinquents and dependent and neglected children. In this study, an attempt was made to determine the number of mentally defective youngsters committed to the Texas Youth Council and to determine whether there was a relationship between their intellectual level and various aspects of their social and criminal histories.

For organizational purposes, this study is divided into several sections. Following this introduction is a section presenting a history and description of the current administrative practices of the Texas Youth Council. The third section provides a detailed description of the methodology employed including; a description of the diagnostic procedures of the Texas Youth Council, how the study sample was gathered, the testing procedures utilized, and identification of the social and criminal history information which was gathered on the youths in the sample. The fourth section presents data describing the sample and data on the incidence of mental retardation found among admissions to the Texas Youth Council. This section concludes with a discussion of the relationship between mental retardation and the subjects' social and criminal histories.

Finally, in the last section, an attempt was made to summarize the results of this study and to formulate various conclusions and recommendations which, if implemented, could resolve some of the problems of correctional administration engenered by the defective delinquent.

Footnotes

[1] Federal Bureau of Investigation *Uniform Crime Report*, United States Department of Justice, Washington, D.C., 1973.

[2] Nicholas de B. Katzenback *The Challenge of Crime in a Free Society*, The President's Commission on Law Enforcement and the Administration of Justice. U.S. Government Printing Office, Washington, D.C., 1967, p. 55.

[3] Federal Bureau of Investigation, op. cit., p. 33.

[4] Ibid, pp. 1-33.

[5] Nicholas de B. Katzenback, op. cit.

2.0 DESCRIPTION OF THE TEXAS YOUTH COUNCIL

The major thrust of this study involved an investigation of the incidence of mental retardation among residents of the Texas Youth Council. It would seem appropriate, therefore, prior to discussing the methodology and results of this study to provide a brief discussion of the history, legal basis, and administrative structure of the Council. For organizational purposes, this discussion has been divided into two sections; the first presenting a brief history and discussion of the legal basis of the Council, and the second section describing various aspects of its current administration.

2.1 Legal Basis

At the time the Republic of Texas was established, little legal discrimination existed in the prosecution of juveniles and adults. Following the common law tradition, anyone over seven years of age was considered legally responsible for his actions, in which case, juveniles were prosecuted in the same manner as adults.[1]

By 1856 the Texas Legislature had increased the age of criminal responsibility to nine years of age. However, provision was made to exempt children under thirteen years of age from criminal responsibility if it could be shown that they did not understand the criminality of their acts.[2]

During the same year, the Legislature enacted a law exempting anyone under seventeen years of age from the death penalty.[3]

From the inception of the Republic through the early years of statehood there was no discrimination in the correctional treatment of juveniles and adults. All accused and convicted individuals were incarcerated either in county jails or in the state's prison, regardless of age. Recognizing the hazards and liabilities which stem from the common incarceration of juveniles and adults, the Legislature created a separate reformatory for juveniles at Gatesville. This institution was designed to receive sentenced male juveniles and many of its initial residents were transferred from the state prison.[4]

In 1893 the Legislature designated the Gatesville Reformatory as having exclusive custody of all males under the age of sixteen, convicted of felonies, and whose sentences did not exceed five years incarceration.[5] Peculiarly, the Legislature made no provision other than the state prison for the custody of female juveniles under the age of sixteen nor for males whose sentences exceeded five years.

In 1899 the administration of the Gatesville School was amended and placed under a Board of Commissioners. Its administration was again amended in 1920 and placed under the Board of Control, who administered the Gatesville School until 1949 when it was made the responsibility of the Youth Development Council.[6]

Recognizing the need for adequate custodial care for female juveniles the 32nd Legislature made provisions for the Gatesville State School for Girls in 1913. Other state training schools were created by the Legislature including the State School for Negro Girls authorized in 1927 and formally opened in 1947.

The administration of the state's training schools was again reorganized in 1957 with the creation of the Texas Youth Council. The Texas Youth Council Act represented a legislative milestone in the history of juvenile corrections in Texas. Under the Act the Council was charged with the responsibility of administering correctional facilities for delinquent youths and dependent and neglected children and providing such training and education as deemed necessary for their rehabilitation.[7]

The Act also extended to the Council the authority to release on parole juveniles within the state's training schools and to supervise them within the community until their twenty-first birthday.[8]

The Texas Youth Council Act specifies that the Council shall consist of three members appointed by the Governor with the consent of the Senate. The concern of the Legislature was expressed in the requirement that the members of the Council be outstanding citizens who have manifested interest and concern for youth. The purpose of the Council is to set policies for both the institutional care and community supervision for youths under its custody. The actual administration of the Council is vested in an executive director who is appointed by the Council.[9]

In enacting the Texas Youth Council Act the Legislature placed broad responsibility on the Council beyond simply providing for custodial care and community supervision of persons within its custody. It is charged with a variety of extended responsibilities including the ongoing study of the sources and problems of juvenile delinquency and the provision of assistance and cooperation with local and state agencies concerned with the development of programs directed toward the prevention of youth crime and delinquency.[10]

The Council is also required to report to the Legislature and the Governor as to its programs and accomplishments in the treatment of children and to make specific recommendations on how the state might best deal with young offenders.[11]

One of the primary purposes of the Act was to specify a single agency to supervise the institutional commitment of adjudicated delinquents. The Act requires that any juvenile adjudicated a delinquent who is not released by the court unconditionally, nor placed on probation or other form of community supervision shall be committed to the Texas Youth Council.[12]

The Act requires that the Council examine each child upon receipt and explore all pertinent aspects of his life and behavior pursuant to his subsequent rehabilitation. The Council is required to re-examine each child at lease once a year so as to assure a realistic appraisal of the child's needs and of the need to continue institutional custody. If the Council does not re-examine the child at least yearly, the juvenile is entitled to petition the committing court for discharge, unless the Council can present satisfactory evidence supporting a need for continued institutional care.[13]

The Act also attempts to protect the security and privacy rights of delinquents within the care of the Youth Council. All records concerning the youth are specifically defined as private and can only be obtained upon order of the district court.[14]

The Act provides the Council broad custodial latitude in the treatment of youths committed by the courts.[15] The Council can confine the youth within one of the state training schools, release him under community supervision, and reconfine him as frequently as is deemed necessary for the child's good and for the public's welfare. The Council may require youths within its custody to participate in a variety of programs which are deemed useful for his social development. These programs include any moral, academic, vocational, physical, or recreational program which is specifically designed for the child's benefit and which is not simply self-serving or does not exploit the child's labors.

Of particular interest to this study is Section 30 of the Texas Youth Council Act which prescribes that if the Council finds that a youth committed to its custody is either mentally ill or feeble minded it shall return the child to the court of original jurisdiction so that an appropriate disposition might be made to fit the needs of the youth. The Act specifies that under no circumstance will the Council delay in returning the child to the committing court beyond that time necessary for removal and transfer of the child according to law.

Obviously, the intent of the legislature is that institutionalization within Youth Council facilities is not appropriate for the mentally ill or the mentally retarded. The fact that Section 30 prescribes that the "...Youth Council shall have the power..." to return a child to the committing court implies a discretionary transfer of retarded youths from the Youth Council to the committing court and may not absolutely preclude the Youth Council having custody of retarded delinquents.

Unlike the sentencing of adults, youths are not committed to the Youth Council for a predetermined period of time. The youth may be released from a state training school when it is considered that such a release is to the benefit of the child and the community.[16] Usually, juveniles are released under parole supervision; however, the Act specifies that all custody by the Council shall be terminated when the youth reaches the age of twenty-one.[17]

Prior to 1961 there was no formalized or appropriated system for the release of juveniles on parole from a state training school. At various times in the development of the juvenile correctional system in Texas, the need for juvenile parole services was recognized, but not funded. Although the Youth Development Act of 1949 made legal provision for parole services, no funds were appropriated with the result that no parole system developed.[18]

The current legal basis for juvenile parole is incorporated in the Texas Youth Council Act of 1957.[19] This Act authorizes the Council to release juveniles under supervision at any time during their custody in a state training school. The Act encourages the placement of juvenile parolees in their own home or in any situation or family deemed appropriate. The Council is authorized to employ parole officers whose responsibility is to investigate the child's background and placement and to provide supervision to insure adequate adjustment in society. The Council is given the authority to develop rules and regulations to assure the proper administration and supervision of parole and, also, the authority to revoke parole if the juvenile violates those rules, in which case the Council resumes the care and custody of the child within a state training school.[20]

Unfortunately, the provisions for parole as specified in the Act were contingent upon and subject to appropriation. Since no appropriations were provided by the Legislature until 1961, the Council was severely handicapped in the development of a parole system. During the years preceding 1961, the Council did attempt to develop a system of courtesy supervision utilizing probation officers and child welfare workers. The Council began keeping parole records and developing the administrative structure for parole supervision prior to being granted appropriation in 1961.

The Texas Youth Council Act also requires the Council to issue clothing and transportation to all youths released under parole supervision.[22] The Council is authorized to provide transportation to the parolee's home or the county in which a suitable home has been found and also to provide money to the parolee. Funds for clothing and transportation and the payment of money can be made from funds appropriated to the Youth Council, the institution from which the child is released, or from any local funds or appropriations specifically made for such purposes by the Legislature.[23]

2.2 Administration

As mentioned previously, the Texas Youth Council is statutorially headed by a three-man council which is appointed by the Governor with the consent of the Senate. Council board members serve six year terms without receiving pay for their services. They are charged with the responsibility of governing the broad policies of the agency. The day-to-day operation of the Council is administered by the Executive Director. He is appointed by the Council and is responsible for the administration of the state training schools, homes for dependent and neglected children, and the parole supervision program (c.f. Figure 1).

The central office of the Council is located in Austin, Texas. The office is composed of the Executive Director, a Deputy Executive Director, seven Division Directors and supportive staff. Division Directors are responsible for functional programs in the areas of child care and training, maintenance and construction, finance, research, mental health and psychiatric services, parole supervision, and religious training.[24]

As shown in Figure 2, the Council presently maintains thirteen schools.[25] Of these institutions, nine are dedicated to the care of adjudicated delinquents, three are charged with care of dependent and neglected children, and one facility, the Parrie Haynes Ranch, has been developed as a campground and recreational facility.[26]

The Council maintains four institutions for delinquent girls and five institutions for delinquent boys. These include both minimum and maximum security treatment facilities, as well as individual reception centers for boys and girls.

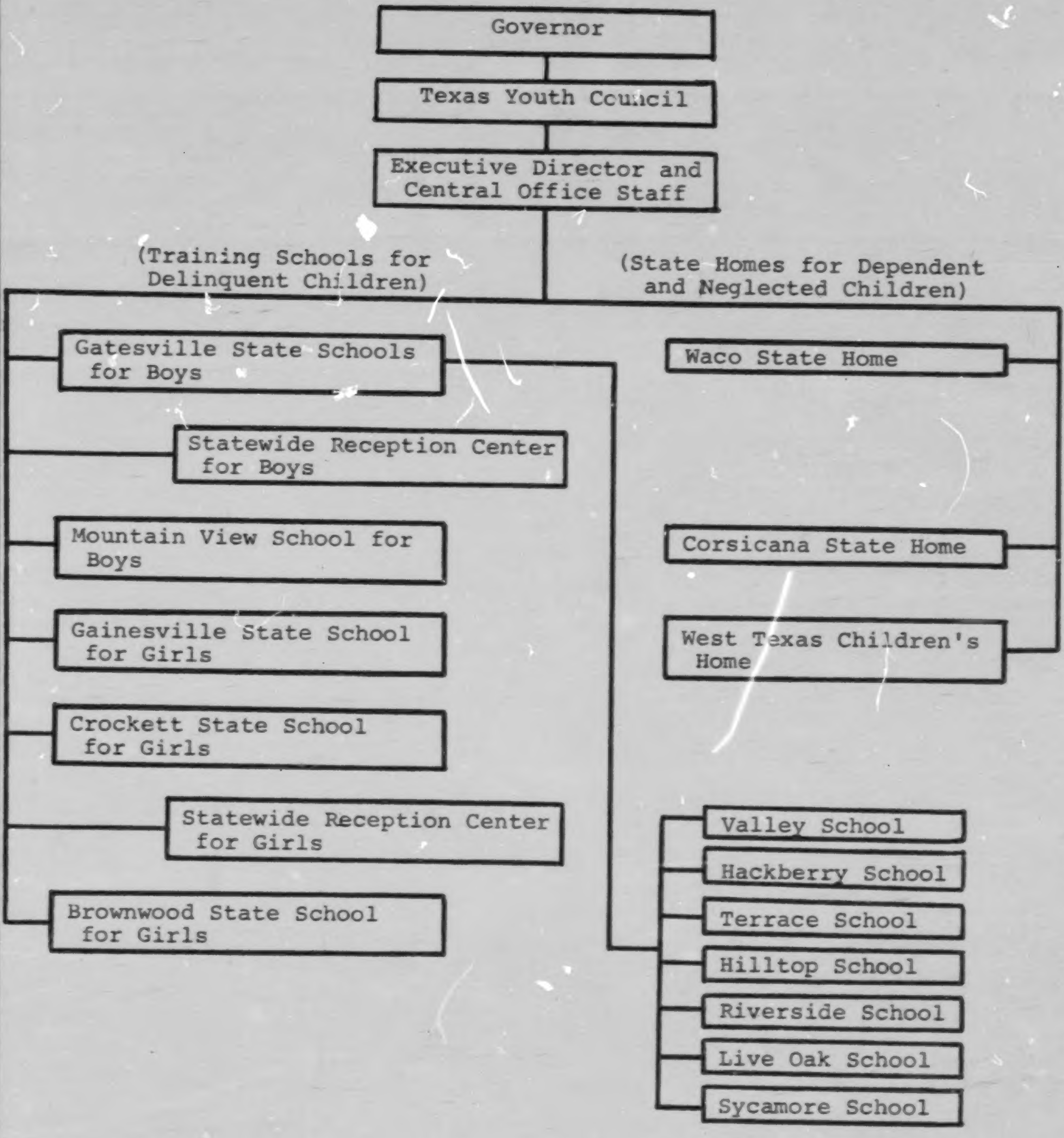
Governor
Texas Youth Council
Executive Director and Central Office Staff
(Training Schools for Delinquent Children)
(State Homes for Dependent and Neglected Children)
Gatesville State Schools for Boys
Statewide Reception Center for Boys
Mountain View School for Boys
Gainesville State School for Girls
Crockett State School for Girls
Statewide Reception Center for Girls
Brownwood State School for Girls
Waco State Home
Corsicana State Home
West Texas Children's Home
Valley School
Hackberry School
Terrace School
Hilltop School
Riverside School
Live Oak School
Sycamore School

Figure 1 ADMINISTRATIVE ORGANIZATION OF THE TEXAS YOUTH COUNCIL

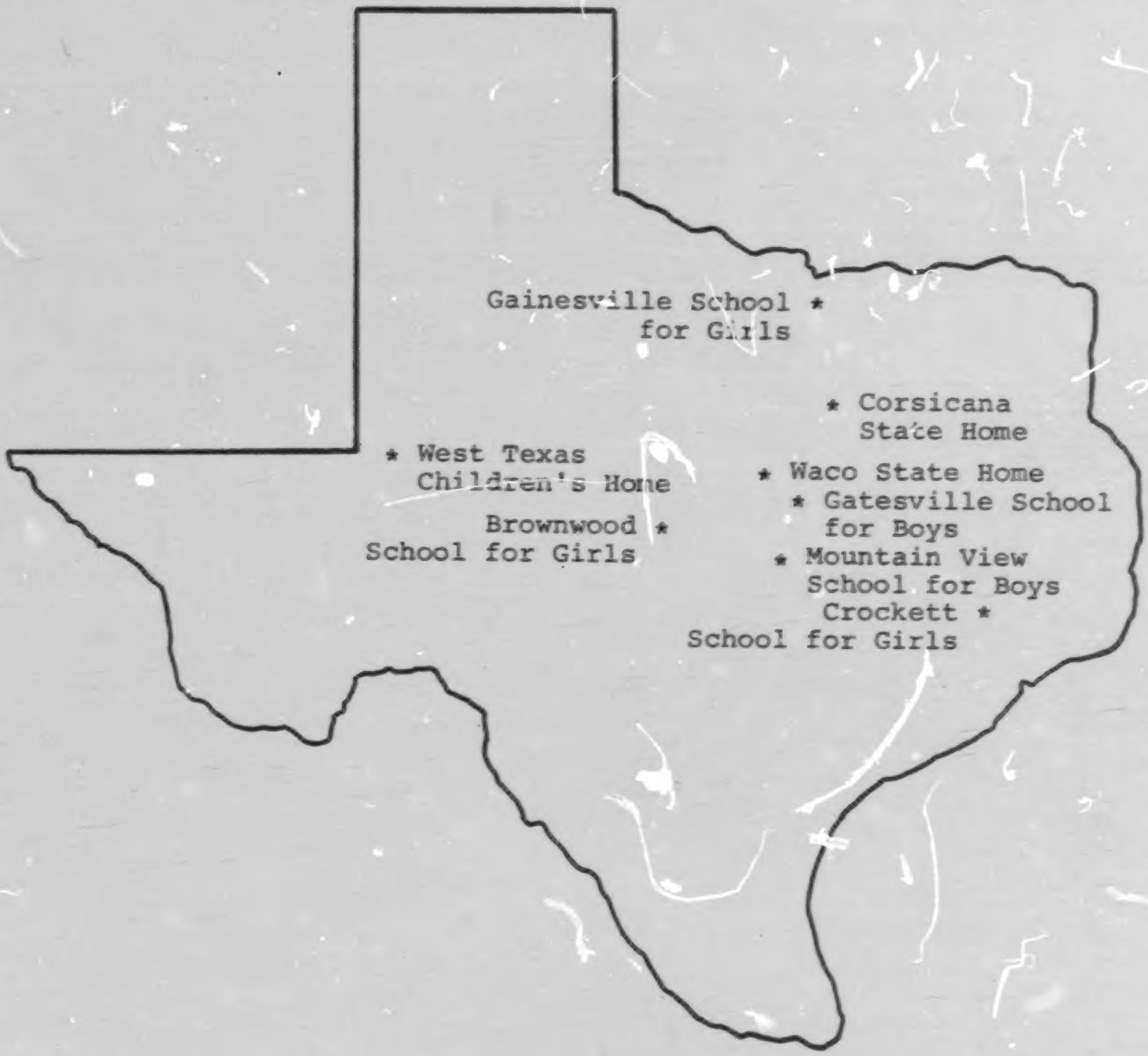
Gainesville School for Girls
Corsicana State Home
West Texas Children's Home
Waco State Home
Gatesville School for Boys
Brownwood School for Girls
Mountain View School for Boys
Crockett School for Girls

Figure 2 STATE TRAINING SCHOOLS AND STATE HOMES ADMINISTERED BY THE TEXAS YOUTH COUNCIL

The Brownwood Reception Center for Delinquent Girls is designed to perform the initial evaluation of each girl committed by the courts, to determine the child's needs and to assign her to the appropriate set of educational and rehabilitative programs. A similar function is performed for males by the Gatesville Reception Center for Delinquent Boys.[27] The Council also maintains a half-way house for delinquent boys in Houston. This facility serves as a temporary community-based residential facility to assist boys in their transition from a state school into the community. A similar facility, Bridge House, is operated in Fort Worth for delinquent girls.[28]

It is somewhat difficult to present a simple analysis of the budget for the Texas Youth Council since the agency does receive funds from sources other than state appropriations. The state appropriation for the Youth Council for 1973 is approximately 17.8 million dollars. In addition, the Elementary and Secondary Education Act, Title I Program, provides grants of $363,378. With income derived from other grant sources, the total projected operating budget for the Council for 1973 is approximately 18.1 million dollars.[29]

Because of the diversity of programs involved in the administration of the state's training schools, the Council employs a wide variety of employees. These include medical doctors, psychiatrists, psychologists, social workers, house parents, professionals in the area of vocational training and education, custodial officers, maintenance personnel, and other supportive staff. Excluding those institutions for dependent and neglected children, the state schools which have custody of adjudicated delinquents have a staff in excess of 1,400 people. During the year this study was conducted, the Youth Council admitted 4,149 juveniles. Of this number, approximately 60% were adjudicated delinquents committed to the Council by juvenile courts, 5% involved transfers between institutions, and 35% were juveniles already in the custody of the Council and returned to the Council's training schools after temporary absences such as furloughs, hospital stays, escapes, and parole.[30]

All newly admitted juveniles are retained in the appropriate reception center for diagnosis and classification, after which they are assigned to one of the Council's residential facilities. During 1971 the average daily population of the Council's facilities was 2,442, which is approximately the same as the average daily population of five years previously.[31]

During 1971 the Council reduced its school population by 2,420 juveniles. Of those released, approximately 99% were paroled directly from the training schools, while 1% was paroled while on temporary leave from a school.[32]

The rehabilitative services provided by the Council for training school residents may be divided into nine areas including: diagnosis and evaluation, child care, social service, education, recreation, religious training, pre-release, health care, and residential placement. Although each service area is significant to the child's ultimate rehabilitation, the Council considers education to be the most important element in its treatment program.[33]

The state training schools provide regular academic and vocational education accredited by the Texas Education Agency. Every effort is made to assure that the type and quality of education provided is comparable to that found in the public schools of the state. The Council has established eight separate fully accredited academic and vocational programs for boys and three for girls.[34]

Unlike the public school system, the Council schools operate eleven months a year and require the attendance of all residents. Each of the Council's schools is an independent school district and the staff meets the same standards for employment as any other accredited school district in the state.[35]

The Council makes every effort to synchronize the child's education so that when he leaves the state school he may reenter the public school system without loss of time or credit.

Since the majority of the children committed to the state schools have a history of poor academic performance, a variety of special education programs are available. One example is the Educational Enrichement and Language Training Center at the Gatesville School for Boys which specializes in assisting students with dyslexia.[36]

The other essential services of the Council's program include the reception centers for boys and girls and the pre-release program. The reception centers perform the significant job of determining the exact nature of the child's needs and skills, and directs them into the proper sequence of institutional programs. The pre-release program is designed to prepare the youth for subsequent reintegration into the community. Activities incorporated in this program are designed to provide practical knowledge and experience for everyday living. This program emphasizes activities that promote social contact, individual responsibility, and good citizenship.[37]

Aside from the administration of the state's training schools, the Texas Youth Council is charged with the responsibility of administering the state's juvenile parole system. As mentioned above, responsibility for the administration of parole is coordinated by the Director of Parole Supervision in the Central Office in Austin.[38]He is one of seven directors who serve directly under the Executive Director of the Council.

For administrative purposes, the 254 counties of the state are divided into four administrative regions containing twenty-four community parole offices. Although the Council does employ full-time parole officers, courtesy supervision is received from volunteers and county officials.[39] In addition, the Council participates in interstate compact agreements with other states providing supervision of out-of-state parolees and probationers in Texas.[40]

Since the purpose of parole is to assist the child in his transition into the community, every effort is made to place the child in his own home. The Council is empowered to set certain rules and regulations governing the child's conduct under parole. If the Council deems it necessary that the child receive additional institutional training, it can revoke parole and place the child in the custody of one of the state training schools.

During 1971 the Council had a total of 4,926 individuals under parole supervision, of which approximately 51% were placed on parole during that year. The remaining 49% had been placed during previous years. Of those placed on parole, 94% were being supervised within Texas and 6% were placed out-of-state under interstate compact provisions.[41]

As reported by the Council, the failure rate in 1971 among boys placed on parole was 16.3% while the failure rate for girls was 9.4%. These recidivism figures represent the ratio of youths on parole during 1971 and the number of youths whose paroles were revoked during that year.

Currently the Youth Council employs 50 field parole officers, four parole supervisors, and one Director of Parole Supervision. These officers are located in twenty-two offices throughout the state and work closely with the parolee's family, school, and local and state rehabilitative agencies.

In addition to full-time parole officers, the Council employs the services of community volunteers and county officials to provide courtesy supervision. It is anticipated that as appropriations for parole supervision are expanded, the need for courtesy supervision will diminish.

Footnotes

[1] Ordinances and Decrees of the Constitution, 1836-1838.

[2] General and Special Session Laws of Texas, 1856; Vernon's Texas Penal Code, Sec. 36.

[3] Ibid., Art. 37.

[4] General and Special Laws of Texas, 1887.

[5] Vernon's Texas Code of Criminal Procedure, (1893) Art. 2951.

[6] Vernon's Texas Civil Statutes, (1950), Art. 5143c.

[7] Acts of the 55th Legislature, 1957, Vernon's Texas Civil Statutes, Art. 5143d.

[8] Ibid., Sec. 27.

[9] Ibid., Sec. 4(g).

[10] Ibid., Sec. 6.

[11] Ibid., Sec. 6(e).

[12] Ibid., Sec. 12.

[13] Ibid., Sec. 16.

[14] Ibid., Sec. 33.

[15] Ibid., Sec. 18.

[16] Ibid., Sec. 27.

[17] Ibid., Sec. 31.

[18] Vernon's Texas Civil Statutes, (1950), Art. 5143d.

[19] Vernon's Texas Civil Statutes, (1957), Art. 5143d.

[20] Ibid., Sec. 27.

[21] Ibid., Sec. 27.

[22] Ibid., Sec. 28.

[23] Ibid., Sec. 28.

[24] *Annual Statistical Report - 1971*, Texas Youth Council, Austin, Texas, p. 6.

[25] Ibid., pp. 15-20.

[26] Ibid., pp. 15-20.

[27] Ibid., p. 15.

[28] Ibid., p. 19.

[29] Figures made available in personal correspondence with the Texas Youth Council.

[30] Op. cit. Annual Statistical Report - 1971, p. 21.

[31] Ibid., p. 22.

[32] Ibid., p. 22

[33] Ibid., p. 37.

[34] Ibid., p. 37.

[35] Ibid., p. 37.

[36] Ibid., p. 38.

[37] Ibid., pp. 47-49.

[38] Op. cit. Annual Statistical Report - 1971, p. 6.

[39] Ibid., p. 24

[40] Ibid., p. 25.

[41] Op. cit. Annual Statistical Report - 1971, p. 24.

[42] Ibid.,

3.0 METHODOLOGY

The objectives of this study were to identify the incidence of mentally retarded juveniles within the custody of the Texas Youth Council, and to determine whether there is a relationship between intelligence and various aspects of the criminal and social histories of adjudicated delinquents. This section presents a summary of the procedures used to obtain these objectives. It includes a description of the diagnostic procedures of the Council, the rationale for the sampling procedure employed, the testing procedures utilized, and a description of the social and criminal history information gathered.

3.1 Diagnostic Procedures of the Texas Youth Council

All juveniles received by the Council are first admitted to one of the two reception centers for diagnostic evaluation and classification. These reception centers include the Brownwood Reception Center for females and the Gatesville State School for males. While the majority of youngsters received are new admissions, returning escapees, as well as juveniles whose paroles have been revocated, are also received at the reception centers.

Once received, a detailed case history is developed on each juvenile and various psychological tests are administered including the Wechsler Intelligence Scale for Children (WISC). Once this background information has been gathered, the child's social and educational needs are assessed and a treatment program developed. This information is forwarded to the classification committee which assigns the juvenile to one of the schools administered by the Council. The choice of the school of assignment is dependent upon the child's educational needs, his security risk, and the extent of his prior delinquency history.

3.2 Sampling Procedure

During fiscal year 1969-1970 the Texas Youth Council received in excess of 4,200 admissions. These included new admissions as well as re-admissions. During the same period the average daily population of the various schools was approximately 2,400 youngsters. Since the primary purpose of this study was to determine the incidence of mentally retarded juveniles the question arose as to whether the incidence should be determined among the institutionalized population as opposed to the population of new admissions. It was decided that the best procedure would be to determine the incidence among new admissions since this would allow generalizations pertaining to the type of child committed to the Youth Council. This decision was based on the fact that if the sample were drawn from the institutional population some bias would exist. If there is a correlation between IQ and parolability, it is quite possible that the institutional population would contain an overabundance of juveniles with low IQs.

Having made the decision to investigate the incidence of retardation among admissions, the name and case number of each juvenile admitted to the Council during the fiscal year beginning September 1, 1969, and ending August 31, 1970, were secured. A computer tape assembled by the Council indicated that there were 4,253 youngsters admitted to the Council including first admissions, returned escapees, parole revocations and other readmitted juveniles.

It was decided that the study sample should include only newly admitted juveniles with the result that all readmissions, such as parole revocations and returning escapees, were excluded from the sample. This procedure reduced the study sample to 1,666 juveniles including 1,491 males and 175 females.

3.3 Testing Procedures

The Texas Youth Council gathers and maintains an extensive case history on each juvenile committed to its custody. This information includes the results of intelligence testing and detailed information as to the demographic background of the child, his educational history, family structure, and prior delinquency record. While most of this information is retained in the child's case folder, some of it is transmitted to the data processing section of the Council's central office for statistical analysis. As a result, some of the information gathered on the sample of 1,666 youngsters was already in machine readable form, including their IQ scores. However, much of the information concerning the child's demographic, educational, family, and delinquency history had to be manually transcribed from the case folders.

Although the Youth Council did have WISC IQ scores on newly admitted juveniles, it was decided to obtain an additional set of IQ scores using the Slosson Intelligence Test. This was done by first identifying the schools to which each of the sample juveniles had been assigned by the classification committee and sending out a team of individuals to administer the Slosson Intelligence Test to a subsample of the 1,666 juveniles. This subsample involved a random selection of 20% of the original sample of 1,666 juveniles. Because of the inaccessibility of some youths, the testing of the subsample included 291 juveniles, or 17.46% of the original sample.

The gathering of the background information from the case folders represented a formidable task since these folders contain a plethora of information which was not always in the same format from one folder to another. In order to determine which information was to be transcribed, the investigators perused a sampling of these case folders identifying information which would be most germane to the study. Figure 3 presents a listing of the information gathered from the subject's case folders.

It was decided that the best procedure for gathering this information would be to utilize the juveniles' case workers

Background Information

Age

Ethnic Background

Marital Status

Living Arrangement

Marital Status of Parents

Number of Siblings

Family Income

Last Grade Completed

School Attendance Record

Drug History

Use of Alcohol

Use of Drugs

Glue Sniffing

Whether Under the Influence of Alcohol/Drugs/Glue When Last Arrested

Prior Criminal Record

Referral to Juvenile Authorities

Offenses Involved in Prior Referrals

Time in Detention Homes

Referrals to Juvenile Court

Probations

Probation Revocations

Suspended Commitments

Prior TYC Commitments

Commitments in Other States

Paroles

Parole Revocations

Current Commitment Information

Committing Offense

Number of Codefendants

County of Commitment

Time from Adjudication to Commitment

Figure 3 BACKGROUND AND PRIOR JUVENILE HISTORY INFORMATION

as data collectors. This decision was made since the case workers were most familiar with the physical structure of the case folders and could more readily evaluate the reliability and validity of the information contained therein.

Having already ascertained the school of assignment of each juvenile in the study sample, the research team went to each of the schools and enlisted the cooperation of the case workers in the conversion of the case histories. The case workers were briefed on the information that was needed and familiarized with the use of the data collection instrument. Prior to implementation, a pilot study was conducted at one of the state schools to assure that the data collection sheet could be used in an expedicious manner. After making some minor revisions and adjustments, the data collection phase of the study was implemented and completed in approximately three and one-half months.

3.4 Definition of Terms

Since some of the terms used in this study may have ambiguous meaning or vary in legal definition from state to state, the following definitions are provided:

Juvenile Delinquent Under Texas law the term juvenile delinquent refers to any male between the ages of 10 and 17 and any female between the ages of 10 and 18, formally adjudicated and declared delinquent by a juvenile court.

Mentally Retarded For the purpose of this study, the mentally retarded juvenile is defined as any juvenile having a full-scale WISC IQ of 69 or less.

Auto Theft Includes joy-riding or theft of an automobile or operation of an automobile without permission of the owner. It does not include theft of automobile accessories or removal of articles or packages from an automobile.

Burglary or Unlawful Entry Includes burglary, breaking and entering, unlawful entry.

Robbery Includes armed robbery and stealing or attempting stealing from a person when intimidation or violence is involved.

Forgery Includes cases of falsely signing or counterfeiting checks, money orders, or legal papers. It does not include writing hot checks.

Other Theft Includes types of larceny or stealing not included under the definitions above. Examples include theft over $50, shoplifting, picking pockets, stealing automobile accessories, or parts or packages from an automobile, fraud, passing hot checks, embezzlement, and stealing bicycles or motorcycles.

School Truancy Includes only absences from school that are due to the child's willfulness. It does not include the child's absence from home, which is classified as "running away."

Being Ungovernable Includes cases of generally unsatisfactory behavior when the child is beyond parental control or is incorrigible. This also includes cases in which the child shows violent general behavior, remains away from home without reason, or uses vile or abusive language or makes obscene phone calls.

Vagrancy Includes cases of wandering the streets, begging, loafing or loitering at unusual hours or for extended periods on the streets or in or near questionable places.

Sex Offenses Includes cases of unlawful intercourse, prostitution and allied offenses (soliciting), relations with persons of the same sex, rape, assault to rape, and immoral conduct.

Homicide or Attempts Includes cases of murder, voluntary manslaughter, assault with intent to kill, and assault with a deadly weapon.

Injury to Person Includes cases of involuntary manslaughter or serious injury resulting from self-defense or accident. Also includes cases of aggravated assault without a deadly weapon.

Arson Includes intentional setting of fire to public or private buildings or property.

Malicious Mischief Includes cases of destruction of private property, trespassing, disturbing the peace, committing a nuisance, and disorderly conduct, such as fighting, quarreling, throwing stones, voyeurism, and other cases of mischief, such as carrying conceled weapons, gambling, turning in a false fire alarm, and tampering with the mail.

Liquor Includes possession or use of alcohol.

Drugs Includes possession or use of drugs or natcotics including marijuana, LSD, speed or any other drugs listed as dangerous drugs and the use of any hard narcotic such as heroin or cocaine.

Glue Sniffing Includes cases where the offense specifically listed glue sniffing as the offense for which the juvenile was referred.

Traffic Violations Includes cases of violation of traffic regulations, such as operating a vehicle without a permit, speeding, reckless driving, and driving while intoxicated.

Kidnapping Includes the unlawful detention of a person for purpose of extortion.

Other Delinquent Behavior Includes cases not included above, such as slandering, lying, resisting the police, and assisting in an escape from jail.

4.0 RESULTS

The purpose of this section is to present a variety of statistical analyses performed to determine the incidence of mental retardation among adjudicated delinquents and to determine the relationship between intelligence and various aspects of social and criminal history. For purposes of organization, this section is divided into three parts including; a description of the sample, a discussion of the incidence of mental retardation, and, finally, a discussion of the relationship between intelligence and social and criminal history.

4.1 Description of the Sample

The study sample included all male and female juveniles newly committed and received by the Texas Youth Council between September 1, 1969, and August 31, 1970. This included a total of 1,666 juveniles, 1,491 males (89.49%) and 175 females (10.50%). Prior to presenting comparative information on the differences between the retarded and non-retarded juveniles in this sample, it would seem appropriate to provide some general description of the study sample. Tables 1 through 9 provide summary statistics on various characteristics of the juveniles in the sample.

Table 1 presents a frequency distribution of the age at admission of the 1,666 juveniles. As indicated in the Table, both males and females ranged in age from 10 to 18 years.

Table 1

FREQUENCY DISTRIBUTION OF AGES AT TIME OF ADMISSION TO THE TEXAS YOUTH COUNCIL

Age	Males		Females		Totals	
	f	%	f	%	f	%
10	9	0.60	1	0.57	10	0.60
11	17	1.14	1	0.57	18	1.08
12	55	3.68	6	3.42	61	3.66
13	148	9.92	28	16.00	176	10.56
14	292	19.58	46	26.28	338	20.28
15	471	31.58	42	24.00	513	30.79
16	468	31.38	27	15.42	495	29.71
17	30	2.01	22	12.57	52	3.12
18	1	0.06	2	1.14	3	0.18
Totals	1491	100.00	175	100.00	1666	100.00
Median	14.97		14.63		14.85	

The median age among the males was 14.97 years while the median age among the females was 14.63 years.

As reported in Table 2, approximately 4 of every 10 juveniles in the sample were Caucasian, the remainder being either Mexican-American (23.16%), Negro (35.71%) or of other ethnic backgrounds (0.12%). There was a substantially higher number of Caucasians among the females (54.85%) than among the males (39.36%).

The vast majority of the juveniles in the sample were single; however, 24 of them were either married or separated, including 16 of the males and 8 of the females (c.f. Table 3).

It is of interest to review the information in Table 4 describing the family structure of the juveniles prior to their commitment. The majority of the juveniles had been living with either both parents (32.65%), mother only (26.89%), or with their natural mother and step-father (15.18%). Examination of the differences between males and females indicates that a substantially larger percentage of the males were living with both natural parents (34.13%), or with their natural mother only (27.69%), than were the females. Other than differences in these two categories, the living arrangements of the males and females are relatively comparable.

Table 2

FREQUENCY DISTRIBUTION OF ETHNIC BACKGROUNDS

Ethnic Background	Males		Females		Totals	
	f	%	f	%	f	%
Caucasian	587	39.36	96	54.85	683	40.99
Mexican-American	355	23.80	31	17.71	386	23.16
Negro	549	36.82	46	26.28	595	35.71
Other	0	0.00	2	1.14	2	0.12
Totals	1491	100.00	175	100.00	1666	100.00

Table 3

FREQUENCY DISTRIBUTION OF JUVENILE'S MARITAL STATUS

Marital Status	Males		Females		Totals	
	f	%	f	%	f	%
Single	1475	98.92	167	95.42	1642	98.55
Married	15	1.00	6	3.42	21	1.26
Separated	1	0.06	2	1.14	3	0.18
Totals	1491	100.00	175	100.00	1666	100.00

Table 4

FREQUENCY DISTRIBUTION OF LIVING ARRANGEMENTS

Living Arrangement	Males		Females		Totals	
	f	%	f	%	f	%
Both Parents	509	34.13	35	20.00	544	32.65
Mother Only	413	27.69	35	20.00	448	26.89
Father Only	65	4.35	10	5.71	75	4.50
Mother and Stepfather	224	15.02	29	16.57	253	15.18
Father and Stepmother	72	4.82	8	4.57	80	4.80
Adoptive Parents	19	1.27	5	2.85	24	1.44
Grand Parents	66	4.42	10	5.71	76	4.56
Relatives	53	3.55	6	3.42	59	3.54
Independent Arrangement	16	1.07	8	4.57	24	1.44
Foster Parents	15	1.00	15	8.57	30	1.80
Child Care Institution	29	1.94	11	6.28	40	2.40
Other	10	0.67	3	1.71	13	0.78
Totals	1491	100.00	175	100.00	1666	100.00

Table 5 provides a resume of the marital status of the juveniles' parents. As reported, approximately one-third of their parents were living together, while approximately 4 of every 10 were either divorced or separated. The marital status of the parents of the males and females is relatively comparable, with the exception that the higher percentage of the males' parents were living together (36.75%) than was the case among females (26.85%).

The sample had a median of 4.07 siblings, ranging from 0 to 9. The median number of siblings among the males was 4.3 while the median number of siblings among the females was 0.99.

Table 7 presents a frequency distribution of the family incomes of the sample. The median income of the entire sample was $116.20 per week; however, it should be noted that the median income of the families of the female juveniles was substantially less ($93.75) than that of the males ($126.00).

Tables 8 and 9 provide statistical information concerning scholastic achievement and record of school attendance. As indicated in Table 8, the median academic achievement level for the sample was 7.52 years. Comparing males and females, there was little difference in achievement level, the median achievement level for males was 7.41 years while the level for females was 7.33 years.

Table 5

FREQUENCY DISTRIBUTION OF MARITAL STATUS OF PARENTS

Marital Status	Males		Females		Totals	
	f	%	f	%	f	%
Unmarried	130	8.71	15	8.57	145	8.70
Married and Living Together	548	36.75	47	26.85	595	35.71
Married and Living Apart	19	1.27	2	1.14	21	1.26
Divorced/Separated	583	39.10	70	40.00	653	39.19
Father Deceased	148	9.92	16	9.14	164	9.84
Mother Deceased	47	3.15	15	8.57	62	3.72
Both Parents Deceased	10	0.67	2	1.14	12	0.72
Common Law	6	0.40	8	4.57	14	0.84
Totals	1491	100.00	175	100.00	1666	100.00

Table 6

FREQUENCY DISTRIBUTION OF NUMBER OF SIBLINGS IN FAMILY

Number of Siblings	Males		Females		Totals	
	f	%	f	%	f	%
0	160	10.73	88	50.28	248	14.88
1	90	6.03	7	4.00	97	5.82
2	165	11.06	17	9.71	182	10.92
3	180	12.07	13	7.42	193	11.58
4	187	12.54	11	6.28	198	11.88
5	165	11.06	11	6.28	176	10.56
6	164	10.99	9	5.14	173	10.38
7	126	8.45	11	6.28	137	8.22
8	98	6.57	3	1.71	101	6.06
9/more	156	10.46	5	2.85	161	9.66
Totals	1491	100.00	175	100.00	1666	100.00

Table 7

FREQUENCY DISTRIBUTION OF FAMILY INCOMES

Income Per Week	Male		Female		Totals	
	f	%	f	%	f	%
$25/less	24	1.60	0	0.00	24	1.44
$26-50	156	10.46	13	7.42	169	10.14
$51-75	174	11.61	7	4.00	181	10.86
$76-100	306	20.52	95	54.28	401	24.06
$101-200	341	22.87	17	9.71	358	21.48
Over $200	159	10.66	2	1.14	161	9.66
Pension/Welfare	61	4.09	33	18.85	94	5.64
Unknown	270	18.10	8	4.57	278	16.68
Totals	1491	100.00	175	100.00	1666	100.00
Median	$126.00		$93.75		$116.20	

Table 8

FREQUENCY DISTRIBUTION OF LAST GRADE COMPLETED

Grade	Males		Females		Totals	
	f	%	f	%	f	%
1	3	0.20	0	0.00	3	0.18
2	5	0.33	1	0.57	6	0.36
3	19	1.27	0	0.00	19	1.14
4	31	2.07	4	2.28	35	2.10
5	75	5.03	8	4.57	83	4.98
6	266	17.48	37	21.14	303	18.18
7	380	25.48	45	25.71	425	25.51
8	348	23.34	39	22.28	387	23.22
9	222	14.88	20	11.42	242	14.52
10	88	5.90	9	5.14	97	5.82
11	6	0.40	4	2.22	10	0.60
12	0	0.00	1	0.57	1	0.06
Unknown	48	3.21	7	4.00	55	3.30
Totals	1491	100.00	175	100.00	1666	100.00
Median	7.41		7.33		7.52	

As indicated in Table 9, the school attendance record for females was somewhat better than that of males. Approximately one-third of the females regularly attended school, while only 23% of the males fit into that category. Considering the combined sample, approximately one-half of the subjects attended school only occasionally, while the remaining one-half were either regular attenders or did not attend school at all.

In reviewing these descriptive statistics, a word of caution should be mentioned. No interpretation should be drawn between the relationship of the aforementioned variables and delinquency since no control group of non-adjudicated delinquents was studied. Therefore, no inference can be made about the relationship between such variables as marital status of parents, family income, etc., and subsequent delinquency.

4.2 Incidence of Mental Retardation

One of the primary objectives of this study was to determine the incidence of mental retardation among juveniles committed to the Texas Youth Council. The definition of mental retardation is itself a complex issue and various experts have proposed a variety of approaches for the diagnosis of this condition.[1] This complexity not withstanding, the issue is even more complicated by the difficulty in making a differential diagnosis between cultural deprivation and mental retardation.

Table 9

FREQUENCY DISTRIBUTION OF SCHOOL ATTENDANCE RECORD

Attendance Record	Males		Females		Totals	
	f	%	f	%	f	%
Regular	343	23.01	55	31.42	398	23.88
Occasional	764	51.24	76	43.42	840	50.42
Never	384	25.75	44	25.14	428	25.69
Totals	1491	100.00	175	100.00	1666	100.00

As stated earlier, for the purposes of this study, the classification of mental retardation included any juvenile who had a full-scale WISC IQ of 69 or less. It must be mentioned before discussing the data on IQ that the researchers recognize that this is a limited definition and part of its unreliability necessarily stems from the assumption that some of the juveniles referred to the Youth Council come from culturally impoverished backgrounds. From the outset, then, the researchers will most readily admit that the incidence of retarded juveniles reported here is probably somewhat higher than actually exists. Some juveniles were probably identified as retarded primarily due to cultural deprivation. However, the fact that the IQ testing was individually administered and test administrators were sensitive to the cultural and educational experiences of the child tends to reduce the degree of error which contributes to the significance of this study.

Tables 10 and 11 provide the results of the intelligence testing performed on the sample. Table 10 is a frequency distribution of the full-scale WISC IQ scores for both the males and females in the sample.

Of the 1,666 youths sampled, 1,491 were males and 175 were females. In analyzing the WISC IQ data for males, it was found that 192 (12.87%) had IQs below 70 while 1,299 (87.13%) had IQs of 70 or above. Using the definition of mental retardation employed in this study, this would indicate that

Table 10

FREQUENCY DISTRIBUTION OF WISC FULL SCALE IQ SCORES

IQ Scores	Retarded Group				Non-Retarded Group			
	Males		Females		Males		Females	
	f	%	f	%	f	%	f	%
40-49	8	4.16						
50-59	24	12.50	12	41.37				
60-69	160	83.33	17	58.62				
70-79					326	25.09	29	19.86
80-89					389	29.94	37	23.34
90-99					297	22.86	43	29.45
100-109					183	14.08	25	17.12
110-119					68	5.23	9	6.16
120-129					28	2.15	3	2.05
130-139					7	0.53		
140-149					1	0.07		
Totals	192	100.00	29	100.00	1299	100.00	146	100.00
Range	40-69		51-69		70-145		70-122	
Median	63.50		60.97		87.00		91.12	
Mean	62.00		61.20		89.10		91.42	
Standard Deviation	5.84		4.93		13.34		12.79	

approximately 1 out of every 13 juvenile males committed to the Youth Council was mentally retarded.

The IQs among the males identified as mentally retarded ranged from 40 to 69. The median IQ was 63.5 whereas the mean IQ was 62. This disparity between the median and the mean would indicate that the distribution is slightly skewed to the left. The standard deviation of IQs among the retarded is ± 5.84 indicating that 68% of the males' IQs fell between 56.16 and 67.84.

The IQs among non-retarded males ranged from 70 to 145. The median IQ was 87.0 while the mean IQ was 89.1. The 2.1 disparity between the median and the mean indicates that the distribution is somewhat skewed to the right. The standard deviation of the IQ scores is ± 13.34 indicating a greater variability among IQ scores for the non-retarded group than the retarded group. This is easily understood since there would be a necessary lower bound limit to the IQs for retarded individuals whereas there would be no necessary upper bound IQ limit for non-retardates. The standard deviation of ± 13.34 would indicate that 68% of the non-retarded males had IQs falling between 75.76 and 102.14.

Examination of the IQ scores for females indicates that of the 175 females in the sample, 29 (16.57%) were found to have IQs of below 70 while 146 (83.43%) were found to have IQs of 70 or greater. This would indicate that the incidence of mental retardation among females committed to the Texas YOuth Council is about 17%. Among the retarded females, IQs ranged from 51 to 69. The median IQ was 60.97 while the mean IQ was 61.2. The parity between the median and the mean IQs indicates that the distribution of IQs among retarded females tends to be symmetric and not skewed as in the case of male retardates. The standard deviation of these IQs is ± 4.39 indicating that 68% of the retarded females' IQs fell between 56.27 and 66.13.

As mentioned above, 83% of the females in the study were found to have IQs of above 70. Their IQs ranged from 70 to 122, a narrower range than that found for non-retarded males. The median IQ was 91.12 while the mean IQ was 91.42. The parity between these two measures of central tendency indicates that the distribution of IQs for non-retarded females tends to be symmetric. The standard deviation was found to be ± 12.79 suggesting that 68% of the non-retarded females had IQs between 78.63 and 104.21.

In comparing the IQ scores of retarded and non-retarded males and females, several facts are striking. First, it is evident that the incidence of retardation in this study is higher among females than among males, although the average IQ among retarded males and females is not substantially different. However, in comparing the average IQ of non-retarded males and females, it would appear that the non-retarded females have somewhat higher IQs than the non-retarded males.

Comparing the standard deviations of IQ scores indicates that there is little difference in variability between the retarded groups when comparing males with females. The same conclusion can be drawn when comparing the variability of IQs of non-retarded males and females. However, there is a striking difference in the variability when comparing retardates and non-retardates, regardless of sex. As mentioned above, the variability among IQ scores for retardates is less than for non-retardates. The most probable reason for the limited variability in IQs among retardates is the fact that individuals with IQ scores of less than 40 are probably identified as mentally retarded before they reach 10 years of age, the age at which they could be referred to a juvenile court. Such individuals are probably referred and treated by agencies other than the criminal justice system prior to an age at which they could be arrested and referred to the juvenile court.

Various researchers have suggested that the incidence of mental retardation in the general population is between 3 and 4 per hundred. The data reported in Table 10 suggests that the incidence of retardation among adjudicated delinquents received by the Youth Council is approximately 3 times the expected rate for males and approximately 4 times the expected rate for females. Even allowing for the less than perfect reliability of the WISC in measuring IQs, and the probability that some individuals identified as retarded are in fact culturally deprived, the incidence of mental retardation in this sample is strikingly higher than would be expected based upon the projected rate in the general population.

The Slosson Intelligence Test was administered to a subsample of the original group in order to obtain a second measure of intelligence. The results of this testing are reported in Table 11. As indicated, the Slosson Intelligence Test was administered to 291 juveniles or 17.46 percent of the orginal sample.

Table 11 is constructed so that the individuals identified as retarded are those previously identified as retarded based upon WISC IQ scores. Considering the retarded male group, the Slosson scores indicate that 17.13% of the retarded males have IQs of 70 or greater. Similarly, comparing the WISC and Slosson IQs for retarded females, the Slosson indicates that only one female previously identified as retarded on the WISC had an IQ greater than 70.

Comparing the performance of non-retarded males and females on the WISC and the Slosson, it was found that 26.45% of the non-retarded males had Slosson IQs below 70 while 21.81% of the non-retarded females had Slosson IQs below 70.

Table 11

FREQUENCY DISTRIBUTION OF SLOSSON IQ SCORES

IQ Scores	Retarded Group				Non-Retarded Group			
	Males		Females		Males		Females	
	f	%	f	%	f	%	f	%
40-49	4	11.42	1	8.33	1	0.52	1	1.81
50-59	10	28.57	8	66.66	10	5.29	4	7.27
60-69	15	42.85	2	16.66	39	20.63	7	12.72
70-79	5	14.28			44	23.28	9	16.36
80-89			1	8.33	36	19.04	11	20.00
90-99	1	2.85			37	19.57	18	32.72
100-109					15	79.36	3	5.45
110-119					7	3.70	2	3.63
Totals	35	100.00	12	100.00	189	100.00	55	100.00
Median	61.80		55.75		79.60		85.40	

It is evident from the comparison of WISC and Slosson IQ distributions that the two tests do not make the same differential diagnosis with respect to mental retardation. That is, some individuals are identified as retarded on the Slosson who would not be so identified on the WISC.

It is of interest to compare the incidence of mental retardation based upon Slosson IQ scores with that identified by WISC IQ scores. The incidence of retardation among male juveniles based on WISC was 12.87% while the incidence among females was 16.57%. Pooling the data in Table 11, there are a total of 224 males of which 35.26% would be identified as retarded based upon the Slosson. Similarly, pooling the data in Table 11 for females indicates that 34.32% are retarded based upon Slosson IQ scores.

Quite obviously, use of the Slosson to identify the incidence of mental retardation produces the greater percentage of retardates for both males and females than does the WISC. This is evident when comparing the median IQs produced by the two tests as indicated on the bottom of Table 10 and Table 11.

It is somewhat understandable why the Slosson produces lower intelligence scores for the same group of subjects than the WISC. Although the items on the Slosson are read to the subjects and do not require the ability to read, the Slosson items require more verbal accumen than do the items on the WISC.

Therefore, for the purposes of this study, the Slosson is considered a more culturally biased measure of IQ since a plurality of the subjects used in this study came from educationally and economically deprived environments (c.f. Tables 7, 8, and 9).

In summarizing this section several conclusions can be drawn. First, regardless of the measure of IQ utilized, the incidence of retardation among juveniles committed to the Texas Youth Council is substantially higher than that found in the general population. Utilizing the distribution of IQs produced by the WISC, it would appear that the incidence is approximately 3 times as great for males and approximately 4 times as great as females.

These conclusions are quite important in light of the fact that the Youth Council is charged by law to return to the committing court any juvenile found to be mentally retarded.

Although the legal definition of retardation is much broader than simply scoring 69 or below on an intelligence test, these data do indicate that there are a significant number of youths within the custody of the Youth Council who properly should be returned to the committing court so that the child may be referred to an agency specifically designed to deal with retarded youth.[2] However, it must be mentioned in justice to the Youth Council and to the juvenile courts in Texas, that in absence of readily accessible alternatives for the defective delinquent, commitment to the Youth Council has been the only alternative available in most jurisdictions. Though the Youth Council should comply with its legal mandate to return retarded youngsters to the court for other disposition, the absence of accessible alternatives would make this approach cumbersome, and, though legal, not necessarily in the best interest of the juvenile concerned.

4.3 Mental Retardation and Social/Criminal History

The purpose of this section is to explore the possible relationship between mental retardation and various aspects of the juvenile's social and criminal history. For purposes of statistical comparison, the 1,666 juvenile were divided into two groups; male and female. Each of these groups were then sub-divided into retarded and non-retarded groups on the basis of their WISC IQ scores. The retarded group was identified as those persons having IQs of 69 or less, and the non-retarded group was identified as those persons having IQs of 70 or greater.

This section is divided into four parts including; family background information, drug use history, prior delinquency, and current commitment information, respectively.

4.3.1 Family Background

Tables 12 through 20 provide information on various characteristics of the juvenile and his family background. Table 12 presents a frequency distribution of the ages of the juveniles at the time they were admitted to the Youth Council. The data do not necessarily reflect the age at the time of adjudication since, in some cases, there is a protracted amount of time between adjudication and admission to the Youth Council.

Examination of the data in Table 12 indicates that there is substantially little difference in age at admission when comparing retardates and non-retardates, regardless of sex. Examination of the median age indicates that in the majority of cases the juveniles were admitted between 14 and 15 years of age.

Table 13 provides a resume of the ethnic background of the retarded and non-retarded groups. It is immediately evident that the incidence of retardation is higher among Negroes and individuals of Mexican-American descent than among Caucasians. In fact, regardless of sex, the percentage of Negroes in the retarded groups is about twice as high as in the non-retarded groups.

This was consistent with other research which indicated that the incidence of retardation was higher among minority groups and the economically deprived than among Caucasians and those in higher economic levels. In all probability, this also reflects the fact that the WISC, used to differentially diagnose retardation, was more culturally biased in the case of minority group members.

Table 12

FREQUENCY DISTRIBUTION OF AGE AT ADMISSION

Age	Retarded Group				Non-Retarded Group			
	Males		Females		Males		Females	
	f	%	f	%	f	%	f	%
10			1	3.44	9	0.69		
11	2	1.04	1	3.44	15	1.15		
12	8	4.16	1	3.44	47	3.61	5	3.42
13	25	13.02	5	17.24	123	9.46	23	15.75
14	48	25.00	10	34.48	244	18.78	36	24.65
15	81	42.18	6	20.68	390	30.02	36	24.65
16	28	14.58	2	6.89	440	33.87	25	17.12
17			3	10.34	30	2.30	19	13.01
18					1	0.07	2	1.36
Totals	192	100.00	29	100.00	1299	100.00	146	100.00
Median	14.66		14.50		14.15		14.75	

Table 13

FREQUENCY DISTRIBUTION OF ETHNIC BACKGROUNDS

Ethnic Backgrounds	Retarded Group				Non-Retarded Group			
	Males		Females		Males		Females	
	f	%	f	%	f	%	f	%
Caucasian	18	9.37	4	13.79	569	43.80	92	63.01
Mexican-American	62	32.29	12	41.37	293	22.55	19	13.01
Negro	112	58.33	13	44.82	437	33.64	33	22.60
Other	0	0.00	0	0.00	0	0.00	2	1.36
Totals	192	100.00	29	100.00	1299	100.00	146	100.00

Table 14 provides information on the marital status of the 1,666 juveniles in the sample. The data indicated that in the majority of cases, regardless of group membership, the youngsters were not married. No differences existed between the retarded and non-retarded groups, regardless of sex, except for the fact that the incidence of marriage was slightly higher among retarded females than it was for any of the other groups.

Table 15 provides descriptive information on the livng arrangements of the juveniles prior to their adjudication and commitment. In comparing retarded and non-retarded males, there appeared to be little difference in the living arrangements of these juveniles with the exception that retarded males more frequently resided with both natural parents than did the non-retarded males.

In comparing retarded and non-retarded females some striking contrasts were evident. Approximately three times as many non-retarded females lived with both natural parents than did retarded females. Approximately twice as many retarded females lived with their natural mother than did non-retarded females. Comparison of other living arrangements did not yield any substantial differences between the retarded and non-retarded females.

Many theorists of juvenile delinquency have hypothesized that there is a strong relationship between the domestic tranquility

Table 14

FREQUENCY DISTRIBUTION OF JUVENILE'S MARITAL STATUS

Marital Status	Retarded Group				Non-Retarded Group			
	Males		Females		Males		Females	
	f	%	f	%	f	%	f	%
Single	190	98.95	26	89.65	1285	98.92	141	96.57
Married	2	1.04	2	6.89	13	1.00	4	2.73
Separated			1	3.44	1	0.07	1	0.68
Totals	192	100.00	29	100.00	1299	100.00	146	100.00

Table 15

FREQUENCY DISTRIBUTION OF LIVING ARRANGEMENTS

Living Arrangement	Retarded Group				Non-Retarded Group			
	Males		Females		Males		Females	
	f	%	f	%	f	%	f	%
Both Parents	73	38.02	2	6.89	436	33.56	33	22.60
Mother Only	58	30.20	11	37.93	355	27.32	24	16.43
Father Only	9	4.68	1	3.44	56	4.31	9	6.16
Mother and Stepfather	27	14.06	4	13.79	197	15.16	25	17.12
Father and Stepmother	7	3.64	2	6.89	65	5.00	6	4.10
Adoptive Parents					19	1.46	5	3.42
Grandparents	13	6.77	1	3.44	53	4.08	9	6.16
Relatives	3	1.56	3	10.34	50	3.84	3	2.05
Independent Arrangement			1	3.44	16	1.23	7	4.79
Foster Parents			2	6.89	15	1.15	13	8.90
Child Care Institution	1	0.52	1	3.44	28	2.15	10	6.48
Other	1	0.52	1	3.44	9	0.69	2	1.36
Totals	192	100.00	29	100.00	1299	100.00	146	100.00

of the family and subsequent delinquency.[3] They allege that divorce can be a precipitating factor in the delinquent behavior of the child. Table 16 provides information on the marital status of the parents of the juveniles utilized in this study. Comparing retarded and non-retarded males two points of comparison appeared evident. A slightly higher percentage of the parents of retarded males were married and living together than in the case of non-retarded males. With respect to other types of marital arrangements, there appeared to be no difference between the two groups.

In comparing retarded and non-retarded females, several differences seemed to be eivdent. Approximately twice as many of the parents of non-retarded females were married and living together than among retarded females. The divorce and separation rate appeared to be slightly higher among retarded females while the incidence of deceased fathers appeared to be three times as high for the same group. Considering the other categories of marital status, there appeared to be few differences between the two groups.

Table 17 provides information on the number of siblings in the families of the 1,666 subjects surveyed in the study. These data reflected the number of siblings in the juvenile's family structure, not necessarily the number who were living with the juvenile prior to his adjudication and commitment.

Table 16

FREQUENCY DISTRIBUTION OF MARITAL STATUS OF PARENTS

Marital Status	Retarded Group				Non-Retarded Group			
	Males		Females		Males		Females	
	f	%	f	%	f	%	f	%
Unmarried	12	6.25	3	10.34	118	9.08	12	8.21
Married Living Together	76	39.58	4	13.79	472	36.33	43	29.45
Married Living Apart	3	1.56	1	3.44	16	1.23	1	0.68
Divorced/Separated	72	35.50	12	41.37	511	39.33	58	39.72
Father Deceased	21	10.93	6	20.68	127	9.77	10	6.84
Mother Deceased	5	2.60	2	6.89	42	3.23	13	8.90
Both Parents Deceased	3	1.56	1	3.44	7	0.53	1	0.68
Common Law	0	0.00	0	0.00	6	0.46	8	5.47
Totals	192	100.00	29	100.00	1299	100.00	146	100.00

Table 17

FREQUENCY DISTRIBUTION OF NUMBER OF SIBLINGS IN FAMILY

Number of Siblings	Retarded Group				Non-Retarded Group			
	Males		Females		Males		Females	
	f	%	f	%	f	%	f	%
0	19	9.89	14	48.27	141	10.85	74	50.68
1	8	4.16			82	6.31	7	4.79
2	12	6.25	1	3.44	153	11.77	16	10.95
3	12	6.25	2	6.89	168	12.93	11	7.53
4	16	8.33	1	3.44	171	13.16	10	6.84
5	12	6.25	3	10.34	153	11.77	8	5.47
6	29	15.10	3	10.34	135	10.39	6	4.10
7	22	11.45	3	10.34	104	8.00	8	5.47
8	21	10.93	2	6.89	77	5.92	1	0.68
9/more	41	21.35			115	8.85	5	3.42
Totals	192	100.00	29	100.00	1299	100.00	146	100.00
Median	6.05		2.00		4.11		0.98	

In comparing retarded and non-retarded males it appeared that the retarded males had more siblings (Mdn. 6.05) than non-retarded males (Mdn. 4.11). This same pattern appeared when comparing females, since female retardates had a median of 2.0 siblings, whereas non-retarded females had a median of 0.98 siblings.

In discussing the incidence of retardation among various ethnic groups, it was mentioned that the incidence was higher among Negroes and Mexican-Americans than among Caucasians. One explanation for this difference was that retardation could be the outgrowth of poor health care, particularly during prenatal and postnatal periods, coupled with over-exposure to a culturally impoverished environment. Since both these factors were in part related to income, it was of interest to explore the data in Table 18 which described the income levels of the juveniles' families.

The aforementioned hypothesis which suggested that the incidence of retardation would be higher among less financially endowed families was only partially supported by the data. Comparison of the median family incomes among retarded and non-retarded males indicated a substantially higher weekly income among the non-retarded group. However, no substantial differences in family income appeared to exist when comparing retarded and non-retarded females. The data do indicate, nevertheless, that the family incomes of the females, regardless of retardation status were lower than the males.

Table 18

FREQUENCY DISTRIBUTION OF INCOME OF FAMILY

Income per Week	Retarded Group				Non-Retarded Group			
	Males		Females		Males		Females	
	f	%	f	%	f	%	f	%
$ 25/less	5	2.60			19	1.46		
26-50	34	17.70	2	6.89	122	9.39	11	7.53
51-75	19	9.89	2	6.89	155	11.39	5	3.42
76-100	42	21.87	15	51.72	264	20.32	80	54.79
101-200	37	19.27	1	3.44	304	23.40	16	10.95
Over $200	2	1.04	1	3.44	157	12.08	1	0.68
Pension/Welfare	14	7.29			47	3.61	33	22.60
Unknown	39	20.31	8	27.58	231	17.78		
Totals	192	100.00	29	100.00	1299	100.00	146	100.00
Medians	$98.00		$93.00		$129.50		$95.50	

This income difference might be related to differences between the males and females in the marital status of their parents. As indicated in Table 16, females, regardless of retardation status, more commonly come from families where the father is absent, than do males. The absence of the male breadwinner may account for the lower median income among females than among males.

At the beginning of this section it was pointed out that there was virtually no difference in the ages of the various groups, regardless of sex or retardation status. It is of interest, therefore, to examine the data in Table 19, since it provides a comparison of the median academic grade level completed. The data suggest no difference among these juveniles, regardless of retardation status or sex. This was interesting since it would not be expected that the retarded males and females would have advanced, academically, as far as their non-retarded counterparts. Yet, since the youngsters were all of the same median age and did not differ in terms of academic achievement level this hypothesis must be rejected.

There appeared to be some inconsistency between the academic achievement data reported in Table 19 and the school attendance record information reported in Table 20. Whereas the data in Table 19 indicated no difference in academic achievement level, Table 20 indicated that retarded males and females have substantially poorer school attendance records than their

Table 19

FREQUENCY DISTRIBUTION OF LAST GRADE COMPLETED

Last Grade Completed	Retarded Group				Non-Retarded Group			
	Males		Females		Males		Females	
	f	%	f	%	f	%	f	%
1	1	0.52			2	0.15		
2	2	1.04	1	3.44	3	0.23		
3	2	1.04			17	1.30		
4	7	3.64	2	6.89	24	1.84	2	1.36
5	13	6.77	3	10.34	62	4.77	5	3.42
6	57	29.68	7	24.13	209	16.08	30	20.54
7	49	25.52	9	31.03	331	25.48	36	24.65
8	31	16.14	4	13.79	317	24.40	35	23.97
9	8	4.16			214	16.47	20	13.69
10	2	1.04	1	3.44	86	6.62	8	5.47
11					6	0.46	4	2.73
12							1	0.68
Unknown	20	10.41	2	6.89	28	2.15	5	3.42
Totals	192	100.00	29	100.00	1299	100.00	146	100.00
Medians	6.78		6.66		7.50		7.00	

Table 20

FREQUENCY DISTRIBUTION OF SCHOOL ATTENDANCE RECORD

Attendance Record	Retarded Group				Non-Retarded Group			
	Males		Females		Males		Females	
	f	%	f	%	f	%	f	%
Regular	36	18.75	6	20.68	307	23.63	49	33.55
Occasional	91	47.39	14	48.26	673	51.80	62	42.46
Drop-Out	65	33.85	9	31.03	319	24.55	35	23.97
Totals	192	100.00	29	100.00	1299	100.00	146	100.00

non-retarded peers. Approximately one-third of the retarded males and females were not attending school at the time of their adjudication, whereas approximately 24% of the males and 34% of the females in the non-retarded group were attending school regularly.

The disparity between the data in Tables 19 and 20 indicated that the males and females in the retarded groups, though at the same grade level as the non-retarded group, may have dropped out of school because of the increasing difficulty encountered in their academic environment stemming from their limited intellectual skills. Since truancy is a violation of the Texas Juvenile Code, these individuals were referred to the juvenile court. Being stereotyped as poor risks for probation because of their low intellectual level, many were subsequently committed to the Texas Youth Council. This is by no means a definitive explanation and further research is needed to explain the disparity between achievement levels and school attendance records.

In summary, this section explored the relationship between mental retardation and various aspects of personal and family history. No differences were found between the retarded and non-retarded groups with respect to age, marital status, and reported academic grade level. However, it was found that the incidence of minority group members was substantially higher in the retarded groups than in the non-retarded groups, regardless of sex. Similarly, there appears to be a relationship between the juvenile's living arrangements and his retardation status. Retarded males more commonly lived with both parents while the incidence of divorce and separation is substantially higher among non-retarded males. Reciprocally, however, retarded females were more commonly from families that had suffered divorce or separation.

Since the incidence of minority group membership was higher in the retarded group it was somewhat consistent to find that retarded subjects came from families with more siblings than did the non-retarded subjects. Consistent with this pattern was the fact that the family income level of retarded males was lower than that of non-retarded males. While no difference was found in comparing females, it does appear that the income level of females, regardless of retardation status, is lower than that of males.

Finally, it is of interest to note that there were no differences in the ages or academic grade levels of the youths studied. However, the retarded subjects, regardless of sex, had poorer school attendance records than the non-retarded subjects.

4.3.2 History of Drug Use

This section presents comparative information on various aspects of drug utilization among retarded and non-retarded juveniles. Table 21 reports the frequency distribution of the history of use of alcohol. Comparing retarded and non-retarded males it appeared that the use of alcohol was more common among non-retarded males than among retarded males. A comparison between retarded and non-retarded females indicated a substantially higher use of alcohol among non-retardates.

In Table 22 information is presented concerning the incidence of youths under the influence of alcohol when they were last arrested, prior to commitment to the Texas Youth Council. Consistent with the conclusion drawn, concerning the use of alcohol, it is evident that non-retarded males were more frequently under the influence of alcohol than retarded males. However, the reverse pattern appears to be evident in the case of females.

Table 23 presents a resume of information on the history of prior drug utilization. Here the term drug use would subsume use of such toxins as marijuana, amphetamines, barbiturates, and opiate derivate drugs. As in the case of alcohol utilization, it is evident that non-retardates, regardless of sex, have a higher incidence of drug use than do retardates. It was also evident that females, regardless of retardation status, were more frequently involved with drugs prior to adjudication than were males.

Table 24 reports the incidence of cases of juveniles under the influence of drugs at the time of their most recent arrest. As indicated, the vast majority of the juveniles in the sample were not under the influence of drugs. However, it is worthy

Table 21

FREQUENCY DISTRIBUTION OF HISTORY OF USE OF ALCOHOL

Alcohol Use	Retarded Group				Non-Retarded Group			
	Males		Females		Males		Females	
	f	%	f	%	f	%	f	%
Yes	114	59.37	11	37.93	867	66.74	79	54.10
No	71	36.97	16	55.17	412	31.71	64	43.83
[illegible]own	7	3.64	2	6.89	20	1.53	3	2.05
Totals	192	100.00	29	100.00	1299	100.00	146	100.00

Table 22

FREQUENCY DISTRIBUTION OF JUVENILES UNDER THE INFLUENCE OF ALCOHOL WHEN LAST ARRESTED

Under the Influence	Retarded Group				Non-Retarded Group			
	Males		Females		Males		Females	
	f	%	f	%	f	%	f	%
Yes	15	7.81	3	10.34	150	11.54	8	5.47
No	168	87.50	25	86.20	1099	84.60	133	91.09
Unknown	9	4.68	1	3.44	50	3.84	5	3.42
Totals	192	100.00	29	100.00	1299	100.00	146	100.00

Table 23

FREQUENCY DISTRIBUTION OF HISTORY OF DRUG USE

Drug Use	Retarded Group				Non-Retarded Group			
	Males		Females		Males		Females	
	f	%	f	%	f	%	f	%
Yes	20	10.41	5	17.24	337	25.94	66	45.20
No	166	86.45	23	79.31	939	72.28	76	52.05
Unknown	6	3.12	1	3.44	23	1.76	4	2.73
Totals	192	100.00	29	100.00	1299	100.00	146	100.00

Table 24

FREQUENCY DISTRIBUTION OF JUVENILES UNDER THE INFLUENCE OF DRUGS WHEN LAST ARRESTED

Under the Influence	Retarded Group				Non-Retarded Group			
	Males		Females		Males		Females	
	f	%	f	%	f	%	f	%
Yes	4	2.08			37	2.84	16	10.95
N[illegible]	177	92.18	25	86.20	1174	90.37	118	80.82
Unknown	11	5.72	4	13.79	88	6.77	12	8.21
Totals	192	100.00	29	100.00	1299	100.00	146	100.00

to note that approximately 1 out of 10 of the non-retarded females were under the influence of drugs at the time of arrest.

Table 25 presents information on experience with glue sniffing. In contrast to the data presented on drug use, glue sniffing appears to be more common among males than females with no differences as to function of retardation status.

The data in Table 26 indicates that the incidence of intoxication due to glue sniffing at the time of the most recent arrest is negligible. This is true when comparing the retarded and the non-retarded groups as well as when comparing males and females.

In summarizing this section on the relationship between mental retardation and drug use, it appeared that the incidence of drug utilization is substantially higher among non-retarded juveniles than among the retarded. This was supported by the fact that the use of alcohol and drugs was substantially lower among retarded juveniles, regardless of sex, than among the non-retarded.

Examination of the frequency of juveniles under the influence of alcohol or drugs at the time of their most recent arrest indicated that the frequency was higher for non-retarded juveniles than for the retarded. However, the incidence of glue

Table 25

FREQUENCY DISTRIBUTION OF JUVENILES WITH HISTORY OF GLUE SNIFFING

History of Glue Sniffing	Retarded Group				Non-Retarded Group			
	Males		Females		Males		Females	
	f	%	f	%	f	%	f	%
Yes	35	18.22			207	15.93	6	4.10
No	141	73.43	17	58.62	969	74.59	81	55.47
Unknown	16	8.33	12	41.37	123	9.45	59	40.41
Totals	192	100.00	29	100.00	1299	100.00	146	100.00

Table 26

FREQUENCY DISTRIBUTION OF JUVENILES UNDER THE INFLUENCE OF GLUE WHEN LAST ARRESTED

Under the Influence	Retarded Group				Non-Retarded Group			
	Males		Females		Males		Females	
	f	%	f	%	f	%	f	%
Yes	3	1.56			15	1.15	1	0.68
No	170	88.54	18	62.06	1129	86.91	101	69.17
Unknown	19	9.89	11	37.93	155	11.92	44	30.13
Totals	192	100.00	29	100.00	1299	100.00	146	100.00

sniffing appears to be highest among retarded males. No difference was found in the incidence of juveniles under the influence of glue at the time of their last referral, regardless of sex or retardation status.

4.3.3 Prior Criminal History

The purpose of this section is to compare the retarded and non-retarded with respect to various aspects of their prior delinquency history. Table 27 presents a frequency distribution of the number of times the subjects were referred to juvenile authorities. This includes referrals by police, school officials, parents, and any other referral source.

Comparison of the median number of referrals for the four groups indicated that there was no appreciable difference in the number of prior referrals when comparing the retarded and non-retarded groups. However, it did appear that the males, regardless of retardation status, were more frequently referred than were the females.

Table 28 presents a resume of the types of offenses for which the juveniles had been previously referred, not including offenses involved in their current commitment. This Table recorded the number of youths who had been referred at least once for each type of offense, but did not provide information on the total number of juveniles referred for the same offense or more than one offense. Since the categories indicated the percentage of juveniles referred one or more times for each

Table 27

FREQUENCY DISTRIBUTION OF NUMBER OF TIMES REFERRED TO JUVENILE AUTHORITIES

Number of Referrals	Retarded Group				Non-Retarded Group			
	Males		Females		Males		Females	
	f	%	f	%	f	%	f	%
0			1	3.44			4	2.73
1	9	4.68	4	13.79	66	5.08	28	19.17
2	21	10.93	4	13.79	98	7.54	13	8.90
3	25	13.02	6	20.68	118	9.08	21	14.38
4	16	8.33	7	24.13	126	9.69	15	10.27
5	20	10.41	2	6.89	134	10.31	18	12.32
6-10	63	32.81	2	6.89	524	40.33	41	28.08
11-20	34	17.70	2	6.89	198	15.24	6	4.10
21/more	4	2.08	1	3.44	35	2.69		
Totals	192	100.00	29	100.00	1299	100.00	146	100.00
Median	6.29		3.41		6.45		6.50	

individual offense, they did not add up to 100%.

In comparing retarded and non-retarded males there appeared to be no differences in offense patterns. For both groups the most common offenses were theft, burglary, truancy, running away, and malicious mischief. These five categories accounted for one-third to one-half of the prior offenses of all the males in the sample.

Similarly, when comparing retarded and non-retarded females, there appeared to be no differences in the offense patterns of the two groups. The most common offenses involved running away, truancy, theft, being ungovernable, and sexual offenses. These five categories accounted for 20% to 50% of all prior offenses for the females in the sample.

Though no differences in offense patterns could be identified in comparing retarded and non-retarded groups, there does appear to be differences in offense patterns when comparing males and females, regardless of retardation status. As indicated in Table 28, the most common offenses associated with males tended to be theft and burglary, whereas running away, truancy, and being ungovernable tended to be the most common offenses committed by females.

Under Texas law, a juvenile officer may detain a juvenile prior to formal adjudication, pending notification of the

Table 28

PERCENTAGE OF JUVENILES HAVING PRIOR REFERRALS FOR VARIOUS TYPES OF OFFENSES

Offense	Retarded Groups				Non-Retarded Group			
	Males		Females		Males		Females	
	f	%	f	%	f	%	f	%
Auto Theft	43	22.29	4	13.79	377	29.02	14	9.58
Burglary	111	57.81	4	13.79	722	55.58	17	11.64
Robbery	13	6.77	0	0.00	82	6.31	2	1.36
Forgery	6	3.12	0	0.00	51	3.92	2	1.36
Theft	123	64.06	5	17.24	720	55.42	37	25.34
Truancy	64	33.33	10	34.44	457	35.18	34	23.28
Running Away	43	22.39	20	68.96	423	32.56	87	59.58
Ungovernable	26	13.54	7	24.13	297	22.86	32	21.91
Vagrancy	12	6.25	3	10.34	138	10.62	7	4.79
Sex Offenses	14	7.29	8	27.58	51	3.92	24	16.43
Homicide/Attempts	4	2.08	0	0.00	30	2.30	0	0.00
Assault	16	8.33	4	13.79	96	7.39	2	1.36
Arson	4	2.08	0	0.00	40	3.07	0	0.00
Malicious Mischief	65	33.85	3	10.34	381	29.33	12	8.21
Liquor Violations	16	8.33	2	6.89	134	10.31	5	3.42
Drug violations	5	2.60	1	3.44	67	5.15	12	8.21
Glue Sniffing	16	8.33	0	0.00	77	5.92	2	1.36
Traffic Violations	6	3.12	1	3.44	68	5.23	1	0.68
Kidnapping	0	0.00	0	0.00	0	0.00	0	0.00
Other	16	8.33	0	0.00	102	7.85	3	2.05

juvenile's parents.[4] However, if the parents are not available or for some other reason the juvenile must be detained for longer than one day, the matter must be referred to the juvenile court. The juvenile judge has the authority to place the child in detention either for his own protection or that of the community in any safe place he deems appropriate.[5] Table 29 presents a frequency distribution of the number of times each of the juveniles in the sample have been so detained. As indicated in the Table, approximately three out of four of all the subjects, regardless of retardation status or sex, had been in a detention home at least once. Comparing the median number of detentions, it would appear that there were no differences among the four groups.

Normally, when a juvenile is referred to a juvenile department an initial decision must be made as to whether to dismiss the case, refer it to another agency, or, if the child's behavior manifests significant delinquency, to refer the matter to the juvenile court for formal adjudication. Table 30 presents a frequency distribution of the number of times the juveniles in the study were referred to the juvenile court for formal adjudication. Comparison of the median number of referrals indicates no appreciable differences in court referrals, regardless of sex or retardation status.

Within the Texas juvenile justice system, the two primary dispositions that can be made by the juvenile court involve either commitment to the Texas Youth Council or the placement

Table 29

FREQUENCY DISTRIBUTION OF NUMBER OF TIMES IN DETENTION HOME

Times in Detention	Retarded Group				Non-Retarded Group			
	Males		Females		Males		Females	
	f	%	f	%	f	%	f	%
None	52	27.08	7	24.13	350	26.94	40	27.39
1	64	33.33	11	37.93	452	34.79	42	28.76
2	33	17.18	5	17.24	181	13.93	27	18.49
3	7	3.64	2	6.89	57	4.38	14	9.58
4	4	2.08	1	3.44	30	2.30	7	4.79
5	5	2.60			22	1.69	7	4.79
6			2	6.89	5	0.38	3	2.05
7					5	0.38	1	0.68
8	2	1.04			4	0.30	1	0.68
9	2	1.04			4	0.30	1	0.68
10/more	1	0.52			5	0.38	2	1.36
Unknown	22	11.45	1	3.44	184	14.16	1	0.68
Totals	192	100.00	29	100.00	1299	100.00	146	100.00
Median	1.18		1.18		1.16		0.68	

Table 30

FREQUENCY DISTRIBUTION OF NUMBER OF REFERRALS TO JUVENILE COURT

Number of Referrals	Retarded Group				Non-Retarded Group			
	Males		Females		Males		Females	
	f	%	f	%	f	%	f	%
1	101	52.60	16	55.17	564	43.41	79	54.10
2	80	41.66	11	37.93	584	44.95	47	32.19
3	8	4.16			99	7.62	10	6.84
4	2	1.04			27	2.07	4	2.73
5	1	0.52	1	3.44	13	1.00		
6							1	0.68
7					1	0.07	1	0.68
8			1	3.44				
9/more					3	0.23	1	0.68
Unknown					8	0.61	3	2.05
Totals	192	100.00	29	100.00	1299	100.00	146	100.00
Median	1.45		1.40		1.65		1.42	

of the youth under probation supervision. Table 31 presents a frequency distribution of the number of times the juveniles in the study had been granted probation. Comparing retarded and non-retarded males, it was evident that non-retarded males were granted probation more frequently than retarded males. This is consistent with the observation that retarded delinquents are considered poor risks for probation. However, in comparing retarded and non-retarded females there appears to be little difference in the number of probations granted.

Upon adjudication, if a juvenile is granted probation he remains under the jurisdiction of the court and under the supervision of a probation officer. The juvenile is required to adhere to various regulations or terms of probation, some of which are set by statute, others of which can be mandated by the juvenile judge. If the juvenile violates the terms of his probation, the court may elect to revocate his probation and make a further disposition of the case. Table 32 presents a frequency distribution of the number of times the subjects had their probations revocated.

In comparing retarded and non-retarded males it is evident that the incidence of revocation is lower among the retarded group than the non-retarded group. This can be explained rather simply [illegible] the fact that a lesser percentage of retardates were granted probation, and therefore, the incidence of revocation is less by definition. If it is correct to assume that retardates are not frequently granted probation, then the lower

Table 31

FREQUENCY DISTRIBUTION OF NUMBER TIMES PROBATED

Number of Probations	Retarded Group				Non-Retarded Group			
	Males		Females		Males		Females	
	f	%	f	%	f	%	f	%
0	110	57.29	19	65.51	641	49.34	97	66.43
1	77	40.10	9	31.03	600	46.18	47	32.19
2	2	1.04			35	2.69	1	0.68
3	1	0.52	1	3.44	7	0.53		
4	1	0.52			3	0.23		
5					2	0.15		
6								
7					5	0.38		
8								
9					1	0.07		
10/more					2	0.15		
Unknown	1	0.52			3	0.23	1	0.68
Totals	192	100.00	29	100.00	1299	100.00	146	100.00

Table 32

FREQUENCY DISTRIBUTION OF PROBATION REVOCATIONS

Number of Revocations	Retarded Group				Non-Retarded Group			
	Males		Females		Males		Females	
	f	%	f	%	f	%	f	%
0	111	57.81	21	72.41	660	50.80	97	66.43
1	77	40.10	8	27.58	617	47.49	47	32.19
2	2	1.04			9	0.69	1	0.68
3					1	0.07		
4	1	0.52			2	0.15		
5					2	0.15		
6/more					2	0.15		
Unknown	1	0.52			6	0.46	1	0.68
Totals	192	100.00	29	100.00	1299	100.00	146	100.00

incidence of revocation probably stems from the fact that only better risk retardates are granted probation and that in the main, they represent better risks than do non-retarded males granted probation.

Similarly, comparison of retarded and non-retarded females indicates that the revocation rate is somewhat higher among the non-retarded. This is the same pattern found among males, and the difference between the two groups of females is probably best explained on the same basis as the difference between retarded and non-retarded males.

As mentioned previously, the usual dispositions made by the juvenile court involve either commitment to the Texas Youth Council or community supervision under probation. Theoretically, the disposition the youth receives is primarily based on the probability that he will continue his delinquent behavior. However, it sometimes occurs that juveniles placed on probation do not make adequate adjustment, yet their delinquent behavior is not deemed severe enough to require commitment to the Texas Youth Council. In such cases some jurisdictions employ a third dispositional option called suspended commitment. In such circumstances, the youth is adjudicated and the judge orders commitment to the Texas Youth Council. However, the act of commitment is suspended and the juvenile is advised that he will be placed under probation, but, if he continues his delinquent behavior the commitment will be executed and he will be remanded to the custody of the Texas

Youth Council. This is a coercive action by the court and represents a disposition somewhere between the option to probate or to commit.

Table 33 provides statistical information on a number of suspended commitments received by the subjects in the study. Although not many juveniles in the sample had been granted suspended commitments, it was evident in comparing retarded and non-retarded males that the incidence of such commitments was higher among the non-retarded. The same pattern was evident in comparing retarded and non-retarded females. Since suspended commitments usually involves community placement under probation, the explanation for the difference between the retarded and non-retarded probably stems from the presumption that retardates were viewed as poor risks for probation and were more frequently institutionalized.

Table 34 presents information on the number of prior commitments to the Texas Youth Council, not including the juvenile's current commitment. Although relatively few of the youths had been committed to the Youth Council previously, the incidence of prior commitments was somewhat higher among non-retarded juveniles than among retarded juveniles.

Some of the youths in the sample were either born or had at some time in their life resided in other states. Consequently, some of these juveniles had been committed to state training schools in states other than Texas. Table 35 provides

Table 33

FREQUENCY DISTRIBUTION OF SUSPENDED COMMITMENTS

Suspended Commitments	Retarded Group				Non-Retarded Group			
	Males		Females		Males		Females	
	f	%	f	%	f	%	f	%
0	173	90.10	28	96.55	1130	86.98	128	87.67
1	17	8.85	1	3.44	152	11.70	17	11.64
2	1	0.52			8	0.61		
3					2	0.15		
Unknown	1	0.52			7	0.53	1	0.68
Totals	192	100.00	29	100.00	1299	100.00	146	100.00

Table 34

FREQUENCY DISTRIBUTION OF PRIOR TEXAS YOUTH COUNCIL COMMITMENTS

Prior Commitments	Retarded Group				Non-Retarded Group			
	Males		Females		Males		Females	
	f	%	f	%	f	%	f	%
0	191	99.47	29	100.00	1145	88.14	138	94.52
1	1	0.52			150	11.54	8	5.47
2					2	0.15		
3					1	0.07		
4					1	0.07		
Totals	192	100.00	29	100.00	1299	100.00	146	100.00

information on the number of such out-of-state commitments. Only 0.71% of the entire study sample had out-of-state commitments. Although the non-retarded male group had received more of these commitments than any other group in the study, the incidence was so low that it did not seem appropriate to make comparisons among groups.

Juveniles committed to the Texas Youth Council are normally retained in a residential facility for approximately six months. After this time most of them are released under parole supervision and returned to their own communities. Youths granted parole must conform to certain regulations and if these regulations are violated, the youth's parole is revocated.

Table 36 presents information on the number of paroles granted to the youths in the study. Since the study sample was composed of new admissions to the Youth Council during fiscal year 1970, many of the youths in the sample had not reached parole eligibility during the term of the study. For this reason, the data in Table 36 indicating the number of paroles granted was very low.

In comparing retarded and non-retarded males, there appeared to be no appreciable difference in the number of times either group was granted parole. However, it did appear that non-retarded females were granted parole more frequently than were retarded females. These conclusions are only tenative, however,

Table 35

FREQUENCY DISTRIBUTION OF COMMITMENTS TO STATE TRAINING SCHOOLS IN OTHER STATES

Number of Commitments	Retarded Group				Non-Retarded Group			
	Males		Females		Males		Females	
	f	%	f	%	f	%	f	%
0	191	99.47	29	100.00	1285	98.92	146	100.00
1	1	0.52			10	0.76		
2					1	0.07		
3								
Unknown					3	0.23		
Totals	192	100.00	29	100.00	1299	100.00	146	100.00

since many of the juveniles in the study had not become eligible for parole at the time the study was conducted.

Table 37 records the frequency of parole revocations. As in the case of paroles granted, it was difficult to compare parole revocations since the duration of the study did not allow sufficient time for most of the youths to reach parole eligibility and to have been on parole for an extended period of time. Therefore, comparisons between the various groups in the study can only be of the most tenative nature. The data suggested that among those youths granted parole, the incidence of revocation was somewhat higher among retarded males than non-retarded males. Since only one retarded female was granted parole during the time that the data was gathered it would be pointless to compare the revocation rate among retarded and non-retarded females.

In summarizing the data presented above on the relationship between mental retardation and prior criminal history, one might generalize that there was substantial comparability between retarded and non-retarded juveniles. No differences as a function of retardation status were found among the groups with respect to number of times referred to a juvenile department, offenses involved in the referral, number of detentions, number of court referrals, and number of out-of-state commitments.

The one substantial difference between the two groups appears to be in the use of probation. The data indicated that the

Table 36

FREQUENCY DISTRIBUTION OF NUMBER OF PAROLES

Number of Paroles	Retarded Group				Non-Retarded Group			
	Males		Females		Males		Females	
	f	%	f	%	f	%	f	%
0	125	65.10	28	96.55	860	66.20	126	86.30
1	67	34.89	1	3.44	434	33.41	20	13.69
2					4	0.30		
3					1	0.07		
Totals	192	100.00	29	100.00	1299	100.00	146	100.00

Table 37

FREQUENCY DISTRIBUTION OF PAROLE REVOCATIONS

Parole Revocations	Retarded Group				Non-Retarded Group			
	Males		Females		Males		Females	
	f	%	f	%	f	%	f	%
0	164	85.41	29	100.00	1149	88.45	137	93.83
1	28	14.58			147	11.31	9	6.16
2					3	0.23		
Totals	192	100.00	29	100.00	1299	100.00	146	100.00

incidence of probations and suspended commitments was substantially higher for non-retarded subjects than for the retarded. The most reasonable explanation for these differences probably stemmed from the juvenile courts' perception of the retarded juvenile as a poor risk for probation. A somewhat similar pattern was found in the case of paroles granted in which the incidence was somewhat higher among the non-retarded females than among the retarded. Other than these two characteristics, there appeared to be little appreciable difference in the prior criminal histories of retarded and non-retarded delinquents.

4.3.4 Current Commitment Information

The purpose of this section was to relate intelligence to various aspects of the juvenile's current commitment to the Texas Youth Council. This included information regarding the nature of the juvenile's committing offense, the number of codefendants involved in the offense, the county of commitment, and information regarding the amount of time between adjudication and admission to the Youth Council.

Table 38 presents information on the nature of the offenses for which the youths were committed to the Youth Council. Comparing retarded and non-retarded males indicated that there was little difference in the nature of the committing offense as a function of intelligence. For both groups the most common committing offenses were burglary, theft, truancy, and auto theft. Similarly, comparing retarded and non-retarded females

Table 38

FREQUENCY DISTRIBUTION OF CURRENT COMMITING OFFENSE

Commiting Offense	Retarded Group				Non-Retarded Group			
	Males		Females		Males		Females	
	f	%	f	%	f	%	f	%
Auto Theft	18	9.37	1	3.44	228	17.55	7	4.79
Burglary	67	34.89	2	6.89	362	27.86	7	4.79
Robbery	5	2.60			50	3.84	3	2.05
Forgery			1	3.44	11	0.84	3	2.05
Theft	23	11.97	4	13.79	156	12.00	17	11.64
Truancy	23	11.97	6	20.68	109	8.39	18	12.32
Running Away	6	3.12	10	34.48	73	5.61	59	40.41
Ungovernable	11	5.72	2	6.89	56	4.31	8	5.47
Vagrancy	1	0.52			20	1.53	3	2.05
Sex Offenses	8	4.16	2	6.89	25	1.92	2	1.36
Homicide/Attempted	6	3.12			30	2.30	2	1.36
Assault	8	4.16			44	3.38	1	0.68
Arson			1	3.44	11	0.84		
Malicious Mischief	6	3.12			41	3.15		
Liquor/Drugs	10	5.20			75	5.77	15	10.27
Traffic Violations					6	0.46	1	0.68
Kidnapping					1	0.07		
Other					1	0.07		
Totals	192	100.00	29	100.00	1299	100.00	146	100.00

did not indicate any relationship between intelligence and the nature of the committing offense. The most common offenses associated with females, regardless of retardation status, were running away, truancy, and theft. The only differences evident in Table 38 are between males and females, regardless of retardation status. Whereas males were more commonly committed for burglary and theft, both criminal offenses for adults, the most common committing offense for females was running away and truancy, both of which are behaviors considered delinquent for juveniles, but are not criminal matters for adults.

In the preceding section statistical information was presented on the nature of prior offenses committed by the juveniles in the study. Comparing the data in Table 38 with that previously presented in Table 28 indicated virtually no differences between prior and current offense patterns. This was true regardless of retardation status or sex.

Some theorists generalize that delinquent behavior is commonly committed by several juveniles together as opposed to the juvenile acting by himself. Table 39 is a summary of the number of codefendants who were involved in the delinquent acts which the juveniles were committed to the Youth Council. As indicated in the Table, only about one in three of the juveniles in the study were involved with codefendants. Comparison between retarded and non-retarded males indicated that the incidence of codefendants was slightly higher for the non-retarded group.

Table 39

FREQUENCY DISTRIBUTION OF NUMBER OF CODEFENDANTS INVOLVED IN CURRENT COMMITMENT

Number of Codefendants	Retarded Group				Non-Retarded Group			
	Males		Females		Males		Females	
	f	%	f	%	f	%	f	%
0	127	66.14	20	68.96	840	64.66	105	71.91
1	29	15.10	4	13.79	197	15.16	12	8.21
2	8	4.16	3	10.34	103	7.92	16	10.95
3	13	6.77	1	3.44	56	4.31	6	4.10
4	3	1.56	1	3.44	21	1.61	2	1.36
5	2	1.04			9	0.69		
6/more	1	0.52			10	0.75		
Unknown	9	4.68			63	4.84	5	3.42
Totals	192	100.00	29	100.00	1299	100.00	146	100.00

This same pattern appeared in comparing retarded and non-retarded females.

In Texas, judicial responsibility for delinquent youths is vested at the county level of government. However, the nature of the juvenile court varies from one county to another. In the majority of counties, the county judge or chief executive of the county serves as the juvenile judge. In highly urbanized counties the Legislature has created special juvenile courts whose jurisdiction solely involves delinquent and dependent or neglected children. In other jurisdictions, the district court, which ordinarily has jurisdiction over civil matters and adult criminal matters, serves as a juvenile court.

In Texas there are 254 counties with a 1970 population of 11,196,730. Table 40 presents a frequency distribution of the number of youths in the sample committed from various Texas counties. The 22 counties listed in the Table account for 6,211,046 of the state's population (55%). Included in the "other" category are the remaining 232 counties which accounted for 4,985,684 of the state's population (45%).

For comparative purposes, it might be well to compare the state's five most populous counties. These include Harris, Dallas, Bexar, Jefferson, and Nueces counties, which contain the following cities; Houston, Dallas, San Antonio, Beaumont, and Corpus Christi, respectively (c.f. Figure 4). In comparing the commitment rates of these counties for retarded and

Table 40

FREQUENCY DISTRIBUTION OF COUNTY OF COMMITMENT

County	Population	Retarded Group				Non-Retarded Group			
		Males		Females		Males		Females	
		f	%	f	%	f	%	f	%
Bell	124,483	0	0.00	0	0.00	11	0.84	2	1.36
Bexar	830,460	17	8.85	1	3.44	71	5.46	2	1.36
Bowie	67,813	0	0.00	0	0.00	17	1.30	1	0.68
Brazoria	108,312	1	0.52	0	0.00	13	1.00	3	2.05
Dallas	1,327,321	50	26.04	4	13.79	353	27.17	20	13.69
Ector	91,805	2	1.04	0	0.00	11	0.84	3	2.05
Ellis	46,638	0	0.00	0	0.00	10	0.76	0	0.00
El Paso	35,929	2	1.04	0	0.00	21	1.61	4	2.73
Galveston	169,812	0	0.00	0	0.00	11	0.84	3	2.05
Harris	1,741,912	27	14.06	3	10.34	197	15.16	36	24.65
Hildago	181,535	0	0.00	1	3.44	14	1.07	0	0.00
Jefferson	244,773	3	1.56	1	3.44	37	2.84	4	2.73
Lubbock	179,295	2	1.04	0	0.00	13	1.00	0	0.00
Matagorda	27,913	0	0.00	0	0.00	23	1.77	1	0.68
Midland	65,433	0	0.00	1	3.44	11	0.84	0	0.00

Table 40 (continued)

FREQUENCY DISTRIBUTION OF COUNTY OF COMMITMENT

		Retarded Group				Non-Retarded Group			
		Males		Females		Males		Females	
County	Population	f	%	f	%	f	%	f	%
Nueces	237,544	8	4.16	2	6.89	43	1.31	2	1.36
Potter	90,511	1	0.52	0	0.00	15	1.15	3	2.05
Smith	97,096	3	1.56	1	3.44	14	1.07	3	2.05
Tarrant	716,317	11	5.72	0	0.00	42	2.23	4	2.73
Travis	295,516	2	1.04	1	3.44	30	2.30	4	2.73
Victoria	53,766	3	1.56	0	0.00	10	0.76	0	0.00
Wichita	121,862	2	1.04	0	0.00	17	1.30	1	0.68
Other	4,985,684	58	30.20	14	48.27	315	24.24	50	34.24
Totals	11,196,730	192	100.00	29	100.00	1299	100.00	145	100.00

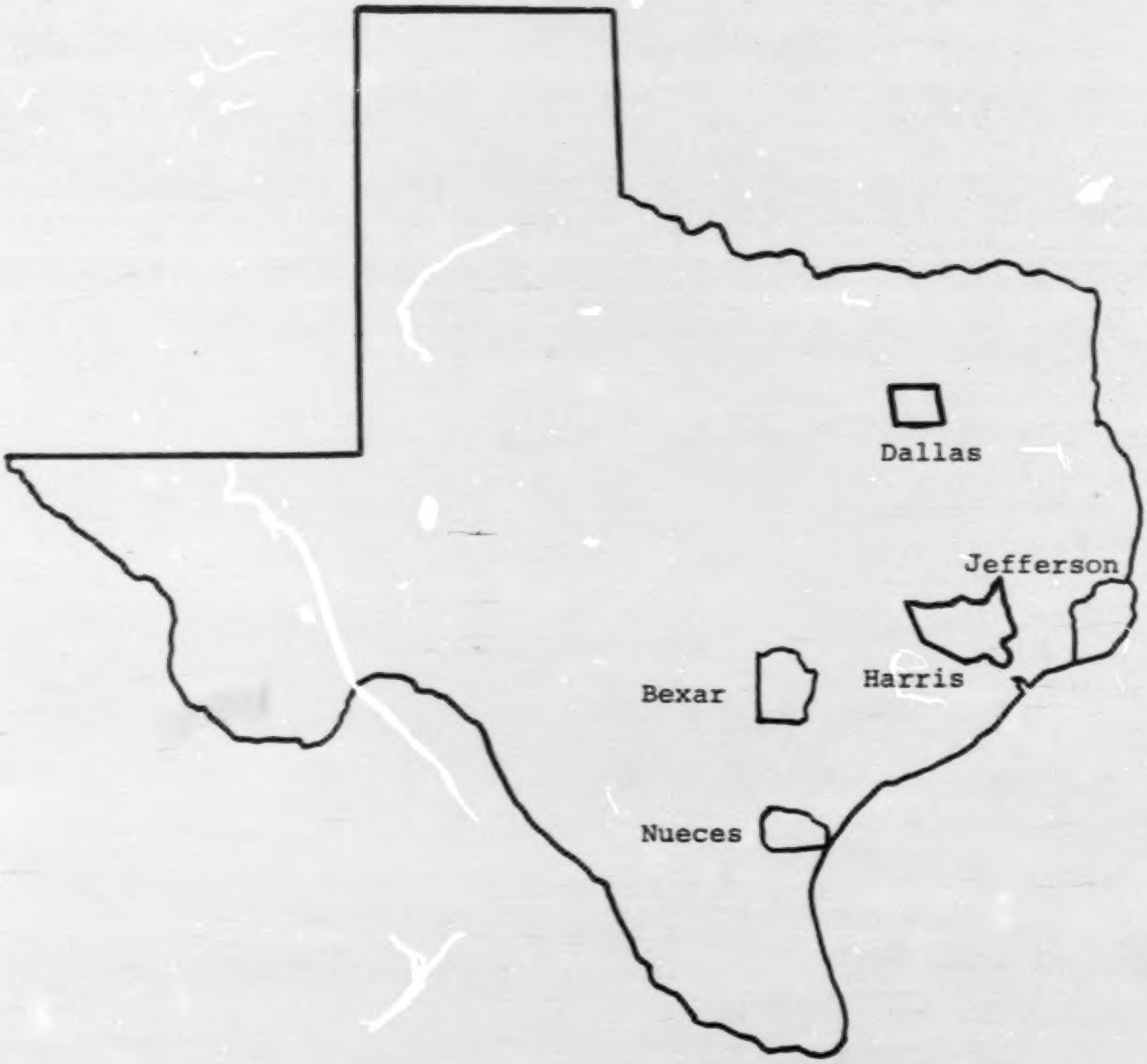
Dallas
Jefferson
Harris
Bexar
Nueces

Figure 4 THE FIVE MOST POPULOUS TEXAS COUNTIES ACCOUNTING FOR 39.14% OF THE STATE'S POPULATION

non-retarded males, there was no appreciable difference in the percentage of commitments with the exception of Bexar County. In the case of Bexar County, the percentage of commitments for retarded males was somewhat higher than for non-retardates.

Similarly, in comparing the commitment rate for retarded and non-retarded females, there was no appreciable difference among the state's five most populous counties, with the exception of Harris and Nueces Counties. In the case of Harris County, the percentage of commitments for retarded females was less than one-half of that for non-retarded females, whereas, in the case of Nueces County, the commitment rate for retarded females was approximately five times greater than for non-retarded females.

In attempting to summarize the information on the county of commitment, it appeared that in the majority of cases the commitment rate for retarded and non-retarded juveniles was comparable, with the exceptions noted above. The most probable source of explanation for the disparity in commitment rates for some counties resided in the fact that these counties have peculiar resources within the community for either retarded or non-retarded juveniles which served as a diversion from commitment to the Texas Youth Council. This source of explanation apparently accounted for the lower commitment rate of retarded females from Harris County. The higher commitment rate of retardates evidenced in the case of Bexar and Nueces

Counties apparently was the result of the absence of such diversionary resources for the retarded youths. However, these explanations are only tenative, since further research regarding the nature of community resources is needed to substantiate these hypotheses.

Table 41 provides information on the amount of elapsed time between the commitment and receipt of the juveniles at one of the diagnostic centers maintained by the Youth Council. As indicated in the Table, the vast majority of the youths, regardless of retardation status or sex, were received by the Youth Council within fifteen days of commitment. No differences appeared when comparing the various groups. However, it did seem that females tended to be received by the Youth Council more quickly after commitment than do males.

In summarizing this section on the relationship between mental retardation and current commitment information there appears to be few differences among the groups. Virtually no differences, as a function of retardation status, were found in the nature of the committing offenses and the elapsed time between adjudication and receipt by the Texas Youth Council. The one difference that did appear involved the number of codefendants associated with the offense for which the juveniles were referred. The data indicated that involvement with codefendants was much more common among non-retarded juveniles than among the retarded. This could be because the retarded juvenile committed more impulsive acts and, therefore, was not involved with

Table 41

FREQUENCY DISTRIBUTION OF TIME BETWEEN COMMITMENT AND RECEIPT BY THE TEXAS YOUTH COUNCIL

Time in Institution	Retarded Group				Non-Retarded Group			
	Males		Females		Males		Females	
	f	%	f	%	f	%	f	%
less than 15 days	184	95.83	29	100.00	1221	93.99	143	97.94
1 month	5	2.60			26	2.00	2	1.36
2 months	1	0.52			15	1.15	1	0.86
3 months					5	0.38		
4 months					6	0.46		
5 months					3	0.23		
6 months					4	0.30		
6-9 months					2	0.15		
9-12 months					1	0.07		
one year/more	1	0.52						
Unknown	1	0.52			16	1.22		
Totals	192	100.00	29	100.00	1299	100.00	146	100.00

codefendants at the time of their commission. Another hypothesis might be that brighter juveniles tend not to commit delinquent or criminal acts with less bright codefendants.

Footnotes

[1] Farber, B. Mental Retardation: Its Social Context and Social Consequences. Boston: Houghton Mifflin Company, 1968.

[2] Vernon's Texas Civil Statutes, 1957, Art. 5143d, Sec. 30.

[3] Glueck, S. and Glueck E. One Thousand Juvenile Delinquents. Cambridge: Howard University Press, 1935.

[4] Vernon's Texas Civil Statutes, Art. 2338-1, Sec. 11.

[5] Ibid., Sec. 17.

5.0 SUMMARY AND CONCLUSIONS

The purpose of this study was to determine the incidence of mental retardation among juveniles committed to the Texas Youth Council. A secondary objective was to determine the relationship between intelligence and various aspects of the social and criminal histories of such adjudicated delinquents.

The strategy of this study involved the administration of intelligence tests to juveniles committed to the Texas Youth Council. All newly admitted juveniles received between September 1 of 1969 and August 31 of 1970 were included in the sample which resulted in a total of 1,666 juveniles, including 1,491 males and 175 females.

Since the Youth Council routinely administers the Wechsler Intelligence Scale for Children (WISC) to all newly admitted juveniles, IQ information was already available on all subjects in the sample. In addition to the WISC, the Slosson Intelligence Test was administered to a randomly selected subset of the original sample of 1,666 juveniles.

In addition to the gathering of intelligence information, a rather extensive investigation was implemented into the social and delinquency histories of the juveniles in the sample. While some of this information, such as age, race and sex, was acquired from the computer records of the Youth Council, most of the information was gathered from individual case records. This background information included identification characteristics, drug and alcohol history, prior delinquency record, and current commitment information.

5.1 Incidence of Mental Retardation

For the purpose of this study, mental retardation was defined as a full scale WISC IQ of 69 or less. Using this criteria, the data indicate that approximately 12.9% of the males and 16.6% of the females admitted to the Texas Youth Council between September 1, 1969, and August 31, 1970, were mentally retarded. This suggests that the incidence of mental retardation is substantially higher than that found within the general population. If the incidence in the general population is 3%, then the incidence among males in the Youth Council is approximately four times greater. Similarly, the incidence among females is approximately five times greater.

This data could be interpreted to indicate that mental retardation in and of itself predisposes a mentally handicapped youngster to commit delinquent acts. This hypothesis is rejected summarily since it does not consider how juveniles are processed through the juvenile justice system. There is every indication that regardless of the criminal act committed, juveniles of lower intelligence are more likely to be committed to a state training school than are their brighter counterparts. This stems primarily from the fact that the juvenile court is negatively predisposed to placing retarded juveniles on probation. Similarly, while a mentally retarded delinquent might receive better care in a foster home than in a state training school, it is difficult to find families willing to provide foster care for delinquents no less a mentally retarded delinquent.

Section 30 of the Texas Youth Council Act requires that if the Youth Council finds a juvenile to be "feeble minded" it shall return the youngster to the court of commitment for appropriate disposition. While the Statute does not operationally define "feeble mindedness", it is clear that the legislative intent was to preclude the incarceration of mentally retarded youngsters within the Youth Council facilities. The data indicating that approximately 1 out of every 7 youngsters committed to the Youth Council has an IQ below 70 suggests that the Texas Youth Council is receiving youngsters without proper consideration for this legal restriction.

While it would appear that approximately 1 out of every 7 youngsters may be inappropriately in the custody of the Youth Council, it must be recognized that the juvenile court has little dispositional flexibility in the handling of the mentally retarded delinquent. Probation appears to be used infrequently since it is assumed that the mentally retarded delinquent represents a poor risk for probation. Electing to commit the juvenile to a state residential facility for the mentally retarded affords little relief inasmuch as there can be a significant waiting period since there are more applications for admission than there is bed space. Since the disposition of a mentally retarded delinquent is a time critical factor, the state residential facilities for the mentally retarded have not proved to be a meaningful resource for the juvenile court. In the absence of other alternatives, the juvenile court has frequently, against its better judgment, committed youths to the care of the Youth Council.

To rectify this dilemma, it is recommended that the Youth Council initiate a program to examine all youngsters of low intelligence within its custody and return to the committing court any child found to be truly mentally retarded. This procedure is in keeping with the law and would have the beneficial effect of focusing public attention to the legal ambiguities in the handling of mentally retarded delinquents.

It is also recommended that the Legislature carefully examine existing statutes to determine which state agency should be responsible for the care and treatment of mentally retarded delinquents. It is not sufficient, as in the case with the present law, to designate which agencies cannot have custody of the mentally retarded delinquent. The absence of a clear legislative mandate designating agency responsibility creates a legal ambiguity and an administrative void, a situation which mitigates against proper care and treatment for the mentally retarded delinquent.

5.2 Intelligence and Background Characteristics

Mentally retarded and non-retarded males and females were compared with respect to nine background characteristics. No differences were found with respect to age, marital status, and grade achievement level. However, as might be expected, the preponderance of mentally retarded youngsters, regardless of sex, were minority group members. Approximately 9 of every 10 mentally retarded juveniles, regardless of sex, was either Negro or Mexican-American, while of the non-retarded group, only 6 of 10 males and 3 of 10 females were minority group members. This finding is consistent with the results of other studies which suggest that the incidence of mental retardation in the general population is higher among minority group members and individuals from economically impoverished backgrounds.

The data also suggests that mentally retarded youngsters have poorer school attendance records than non-retarded youths, while their academic achievement levels are about comparable. Finally, mentally retarded juveniles, males in particular, come from more financially impoverished families and both mentally retarded males and females tend to come from larger families than their non-retarded counterparts.

5.3 Intelligence and Drug and Alcohol Use

It is interesting to note that the use of alcohol and drugs seems to be peculiar to youngsters of higher intelligence.

However, it should be mentioned that it is difficult to determine whether there is a correlation between intelligence and drug use or whether the infrequent use of drugs by youngsters of low intelligence is related to their lower socio-economic level. Quite possibly, drug use is related to financial capability to procure drugs, and therefore, is a behavior uncharacteristic of financially impoverished mentally retarded juveniles.

5.4 Intelligence and Delinquency History

A number of researchers have alleged that mental retardation by its very nature predisposes an individual to commit delinquent acts. In order to test this hypothesis an extensive effort was made to compare mentally retarded and non-retarded juveniles with respect to various characteristics of their delinquency history. Of the ten aspects of delinquency history examined, it is important to note that mentally retarded delinquents are more similar to their non-retarded counterparts than they are dissimilar. In comparing the number of times referred to juvenile court, number of detentions, suspended commitments, out-of-state commitments, paroles and parole revocations, there appears to be little difference between the two groups.

The one salient differentiating characteristic appears to be the granting of probation. It would appear that youngsters with lower intelligence are granted probation less frequently than their more intelligent counterparts. It is strongly suspicioned that this difference is based on an assumption by the juvenile court that mentally retarded individuals have a poor prognosis for success on probation. In the absence of empirical evidence on the relationship between intelligence and probation, such an assumption tends to be arbitrary and actually may adversely affect the treatment of the mentally retarded delinquent.

5.5 Intelligence and Current Commitment Information

In comparing mentally retarded and non-retarded juveniles with respect to various aspects of their current commitment, it must be concluded that they are more similar than dissimilar. The one differentiating characteristic seems to be in the number of codefendants involved in the offense for which they were committed. It would appear that non-retarded juveniles more frequently commit delinquent acts with other juveniles than do mentally retarded youngsters. It is difficult to theorize why this difference exists. One explanation might be that mentally handicapped juveniles have low peer group status with the result that brighter youngsters avoid involvement with youths of low intelligence in the commission of delinquent acts.

5.6 Conclusions

In reviewing the information gathered in this study, several conclusions seem justified. The incidence of mentally retarded

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In comparing mentally retarded and non-retarded juveniles with respect to various aspects of their current commitment, it must be concluded that they are more similar than dissimilar. The one differentiating characteristic seems to be in the number of codefendants involved in the offense for which they were committed. It would appear that non-retarded juveniles more frequently commit delinquent acts with other juveniles than do mentally retarded youngsters. It is difficult to theorize why this difference exists. One explanation might be that mentally handicapped juveniles have low peer group status with the result that brighter youngsters avoid involvement with youths of low intelligence in the commission of delinquent acts.

5.6 Conclusions

In reviewing the information gathered in this study, several conclusions seem justified. The incidence of mentally retarded males and females within the custody of the Youth Council is significantly higher than would be expected based upon the rate in the general population. While this may suggest that mentally retarded youngsters are more disposed to commit delinquent acts, this hypothesis is rejected. The interpretation given the data in this study is that the high incidence of mentally retarded youngsters in the Youth Council is related to the absence of diversionary options available to the juvenile court. This is supported by the fact that the number of probations granted mentally retarded youngsters is substantially less than that granted non-retarded youngsters.

The second conclusion which may be drawn from this study is that the Youth Council is probably in violation of the Youth Council Act since it specifically requires the return of "feeble minded" youngsters to the committing court for appropriate disposition. The preponderance of youngsters of low IQ within Youth Council facilities suggests that a careful diagnostic program should be initiated to determine which youngsters are in fact mentally retarded, and upon such a finding, they should be returned to the court forthwith. The policy of committing mentally retarded juveniles to the Youth Council simply because there are no alternative resources not only perpetuates a practice which is legally questionable, but also thwarts any impetus to create proper dispositional resources.

Finally, it should be mentioned that in comparing the social backgrounds and prior delinquency records of mentally retarded and non-retarded juveniles, they appear to be more similar than dissimilar. This is an important consideration since over-labeling of the mentally retarded delinquent can have a very dibilitating effect on the individual and create negative stereotypes which mitigate against his proper care and treatment. The fact that the mentally retarded delinquents examined in this study seemed to be more similar to their brighter counterparts than dissimilar should discourage the negative labeling of the mentally retarded delinquent and the development of theories which would present the mentally retarded delinquent as an individual who is different in kind from his more intellectually endowed peers.

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PROJECT CAMIO

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